

Mr. GRONNA. I have no objection to letting it go over until Monday if it is desired.

Mr. OWEN. I ask that it may go over until Monday.

The VICE PRESIDENT. It will go over.

Mr. OWEN. My attention was distracted when the amendment on page 83 was acted on. I desire to propose a certain amendment to that section, and I move a reconsideration of the vote by which the amendment was agreed to, for the purpose of offering an amendment to it.

The VICE PRESIDENT. The question is on the motion to reconsider.

The motion to reconsider was agreed to.

Mr. OWEN. I move to strike out the words beginning with "And provided further" in line 24 to the end of the amendment on page 84.

Mr. CURTIS. Let it be read.

The SECRETARY. On page 83 strike out the following words:

And provided further, That the Commissioner of Indian Affairs, if he deems it advisable and for the best interests of the Indians, may invest the trust funds of any tribe or individual Indian in United States Government bonds.

Mr. CURTIS. Mr. President, I have no objection to that amendment, but I feel that I should state why this whole item was put in. There is \$11,000,000 of Indian funds in the Treasury of the United States to-day not drawing a cent of interest. This item was prepared by me, and agreed to by the committee, so that the Indian Office could place this money in banks or, if the Commissioner of Indian Affairs saw fit and thought it was for the best interest, he might buy liberty bonds with the \$11,000,000. In addition to this \$11,000,000 belonging to tribes that draws no interest there is some thirty-odd million dollars of individual funds drawing less interest than 4 per cent, and the item was put in allowing the commissioner, if he thought best, to invest either of these funds in liberty bonds.

Mr. OWEN. I can meet the point the Senator from Kansas desires to reach by moving an amendment to insert that proviso after the word "therefor" in line 22, so as to exclude the Five Civilized Tribes.

Mr. CURTIS. I may state that the Senator from Oklahoma desires to exclude the Five Civilized Tribes and the Osage Tribe.

Mr. OWEN. Yes.

Mr. CURTIS. I have no objection to that, because all their tribal funds are drawing interest.

Mr. OWEN. They are all bearing interest. The funds referred to by the Senator from Kansas would not be affected by the transfer I propose. I therefore move to transfer that proviso and to insert in line 24, after the words "Civilized Tribes," the words "or the Osage Tribe of Indians."

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 83, line 24, after the words "Civilized Tribes," insert "or the Osage Tribe of Indians," and transfer the proviso at the end of the page, so it will come in line 22, after the word "therefor."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. ASHURST. On page 67 two amendments were proposed by the committee in reference to the Oregon items, one in line 12, regarding the numerals, and the other in line 17. I simply ask for information, were those amendments agreed to?

The VICE PRESIDENT. They were agreed to.

Mr. ASHURST. If no other Senator wishes to offer an amendment and no other Senator wishes to discuss the bill, I shall move an adjournment.

Mr. OWEN and Mr. POINDEXTER addressed the Chair.

Mr. ASHURST. I withhold the motion for the present.

Mr. OWEN. I should like to make a point of order on the amendment on page 63, beginning with line 11, down to line 21, which would authorize the Secretary of the Interior to exercise the duties of chief of the Five Civilized Tribes. I will have to ask for a reconsideration of that amendment.

The VICE PRESIDENT. It went over.

Mr. OWEN. It went over on my suggestion.

Mr. SMOOT. I understood that it went over until Monday. The Senator from New Mexico [Mr. FALL] is interested in the same item. I do not know whether he desires to have it stricken out or not.

Mr. OWEN. He is going to raise a point of order against it, I understand, and that is what I desire to do myself. I have no objection to its going over until Monday.

Mr. POINDEXTER. I offer the following amendment. If there is any debate about it, I will be willing to have it go over,

but I spoke to the chairman of the committee about it, and I think he understands it.

Mr. ASHURST. Let it be read.

The SECRETARY. At the proper place in the bill insert:

That there is hereby appropriated, out of the tribal funds of the Yakima Indians in the State of Washington not otherwise appropriated, to be charged to the tribal account, the sum of \$2,000 to be used by and under the direction of the Yakima Tribal Council for expense in presenting Indian matters to the Government officials in Washington City, or in the employment of attorneys to assist them in securing information relative to their tribal rights and property.

Mr. ASHURST. I am very familiar with the amendment. Personally I have no objection to it. The item should come in where the items relative to the State of Washington appear.

Mr. POINDEXTER. Yes; it relates to the Yakima Tribe in the State of Washington. They have a number of disputed rights, particularly in regard to water rights, which it is perfectly legitimate, in my judgment, for the Indian tribal council to inform themselves about and be represented in. Of course it will take some money to do that, and this appropriation is confined to the tribal fund and payable out of the tribal fund.

The VICE PRESIDENT. The amendment will be agreed to, without objection.

Mr. GRONNA. I ask the chairman if the amendment which was adopted by the committee this morning relating to the per capita payment of the Menominee Indians has been adopted?

Mr. ASHURST. No; that has not been adopted. It was not a committee amendment, and therefore it has not been agreed to. I hope the Senator will bring it up Monday morning.

Now I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock p. m.) the Senate adjourned until Monday, March 25, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, March 23, 1918.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal and everliving God our Heavenly Father, from whom cometh all wisdom, power, and goodness, help us with high resolves and consecrated hearts to go forward, day by day, in the grand eternal march of existence, to larger and nobler attainments, as individuals and as a people, under the spiritual leadership of the Lord Jesus Christ; for thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

WOMAN SUFFRAGE IN HAWAII.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that the bill S. 2380, an act granting to the Legislature of the Territory of Hawaii additional powers relative to elections and qualifications of electors, which was referred to the Committee on Territories of the House of Representatives, be taken from that committee and re-referred to the Committee on Woman Suffrage.

The SPEAKER. Is there objection?

Mr. HAMLIN. Mr. Speaker, what bill is it?

Mr. RAKER. This is the companion bill to the one which the House transferred last week.

Mr. HAMLIN. What is the purpose of the bill?

Mr. RAKER. The purpose of the bill is to give the Legislature of the Territory of Hawaii the right to pass a law giving women the right to vote.

Mr. CANNON. Is it for consideration now?

Mr. RAKER. No; this bill passed the Senate. The House transferred the House bill a few days ago from the Committee on Territories to the Committee on Woman Suffrage. This is simply a request to transfer this companion bill, which has been passed by the Senate, to that committee.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. WOOD of Indiana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein an address delivered by my colleague, Mr. FAIRFIELD, at Gettysburg on February 22, 1918.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD by incorporating therein a patriotic address delivered by Mr. FAIRFIELD at Gettysburg. Is there objection?

Mr. COX. Mr. Speaker, reserving the right to object—and I do not intend to do so—was not that address inserted in the Record by the gentleman from Ohio, Dr. Fess?

Mr. FESS. No.

The SPEAKER. Is there objection?

There was no objection.

PROFITEERING IN RENTS, DISTRICT OF COLUMBIA.

Mr. CARY. Mr. Speaker, I have a letter here written by one of the profiteers, Guy S. Zepp, a contractor in the city of Washington, which casts reflections upon the chairman of the Committee on the District of Columbia and, in fact, upon every member of that committee. I have answered the letter, showing that the man is entirely wrong. I think it would be well to have this letter read to the House, but I do not wish to take up the time of the House at this time.

The SPEAKER. Does the gentleman ask unanimous consent to put it in the Record?

Mr. CARY. Yes; for the benefit of the House.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to insert in the Record a letter about profiteering.

Mr. CARY. With my reply thereto.

The SPEAKER. With his reply thereto. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, we have been regaled of late quite often with these letters on profiteering. I think the matter should be deferred until the next District day. I therefore object.

The SPEAKER. The gentleman from Massachusetts objects.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. SHERLEY. Mr. Speaker, I submit herewith for printing under the rule a conference report upon the bill (H. R. 9867) making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes.

The conference report and statement are as follows:

CONFERENCE REPORT (NO. 405).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9867) making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 12, 15, 17, 31, 35, 45, 66, 68, 69, 70, 72, 74, 76, 77, 101, 102, 103, and 106.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 6, 8, 11, 14, 19, 20, 22, 23, 24, 26, 27, 28, 29, 30, 32, 33, 34, 38, 42, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 67, 71, 75, 79, 81, 83, 87, 88, 91, 92, 93, 94, 95, 96, 97, 98, 99, 104, 105, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, and 118, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"The President is authorized to acquire the title to the docks, piers, warehouses, wharves, and terminal equipment and facilities on the Hudson River now owned by the North German Lloyd Dock Co. and the Hamburg-American Line Terminal & Navigation Co., two corporations of the State of New Jersey, if he shall deem it necessary for the national security and defense: *Provided*, That if such property can not be procured by purchase, then the President is authorized and empowered to take over for the United States the immediate possession and title thereof. If any such property shall be taken over as aforesaid, the United States shall make just compensation therefor to be determined by the President. Upon the taking over of said property by the President, as aforesaid, the title to all such property so taken over shall immediately vest in the United States: *Provided further*, That section 355 of the Revised Statutes of the United States shall not apply to any expenditures herein or hereafter authorized in connection with the property acquired."

And the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

The fourth paragraph of section 12 of the "Trading with the enemy act," approved October 6, 1917, is amended to read as follows:

"The Alien Property Custodian shall be vested with all of the powers of a common-law trustee in respect of all property, other than money, which has been or shall be, or which has been or shall be required to be, conveyed, transferred, assigned, delivered, or paid over to him in pursuance of the provisions of this act, and, in addition thereto, acting under the supervision and direction of the President, and under such rules and regulations as the President shall prescribe, shall have power to manage such property and do any act or thing in respect thereof or make any disposition thereof or of any part thereof, by sale or otherwise, and exercise any rights or powers which may be or become appurtenant thereto or to the ownership thereof in like manner as though he were the absolute owner thereof: *Provided*, That any property sold under this act, except when sold to the United States, shall be sold only to American citizens, at public sale to the highest bidder, after public advertisement of time and place of sale which shall be where the property or a major portion thereof is situated, unless the President stating the reasons therefor, in the public interest shall otherwise determine: *Provided further*, That when sold at public sale, the alien-property custodian upon the order of the President stating the reasons therefor, shall have the right to reject all bids and resell such property at public sale or otherwise as the President may direct. Any person purchasing property from the alien-property custodian for an undisclosed principal, or for resale to a person not a citizen of the United States, or for the benefit of a person not a citizen of the United States, shall be guilty of a misdemeanor, and upon conviction, shall be subject to a fine of not more than \$10,000, or imprisonment for not more than 10 years, or both, and the property shall be forfeited to the United States. It shall be the duty of every corporation incorporated within the United States and every unincorporated association, or company, or trustee, or trustees within the United States issuing shares or certificates representing beneficial interests to transfer such shares or certificates upon its, his, or their books into the name of the alien-property custodian upon demand, accompanied by the presentation of the certificates which represent such shares or beneficial interests. The alien-property custodian shall forthwith deposit in the Treasury of the United States, as hereinbefore provided, the proceeds of any such property or rights so sold by him."

And the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,000"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$800,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment after the word "Statutes," in line 8, and insert in lieu thereof the following: "\$50,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: in lieu of the sum named in said amendment insert "\$35,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: At the end of the matter inserted by said amendment insert the following: " : *Provided*, That no part of this sum shall be expended on this building until after the acceptance of such plans, specifications, and bids as will complete the building within the authorized limit of cost."

And the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "and including not to exceed \$25,000 to be expended on or adjoining other Government reservations or works for the protection of the civil population"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Quarantine service: For maintenance and ordinary expenses, exclusive of pay of officers and employees, of quarantine stations, and including not exceeding \$500 for printing, \$25,000."

And the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$10,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$3,000,000"; and the Senate agree to the same.

Amendment numbered 26a: That the House recede from its disagreement to the amendment of the Senate numbered 26a, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$600,000"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$5,000,000"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$26,358,176"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$61,252,744"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$18,681,820"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$9,194,100"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$19,654,300"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Claims of officers and enlisted men for loss of private property destroyed in the military service: Property belonging to officers, enlisted men, and members of the Nurse Corps (female) of the Army, which they are required by law or regulations to own and use in field service in the performance of their duties, which since the 5th day of April, 1917, has been, or shall hereafter be, lost, damaged, or destroyed in the military service, shall be replaced, or the damage thereto, or its value, recouped to the owner as hereinafter provided, when such loss, damage, or destruction has occurred or shall hereafter occur without fault or negligence on the part of the owner in any of the following circumstances:

"First. When such private property so lost or destroyed was shipped on board an unseaworthy vessel by order of an officer authorized to give such order or direct such shipment, or destroyed by the enemy or by shipwreck.

"Second. When it appears that such private property was so lost or destroyed in consequence of its owner having given his attention to the saving of property belonging to the United States which was in danger at the same time and in similar circumstances.

"Third. When such private property is destroyed or captured by the enemy, or is destroyed to prevent its falling into the hands of the enemy, or is abandoned by reason of military emergency requiring its abandonment.

"The Secretary of War is authorized and directed to examine into, ascertain, and determine the value of such property lost, destroyed, captured, or abandoned as specified in the foregoing paragraphs, or the amount of the damage thereto, as the case may be; and the amount of such value or damage so ascertained and determined shall be paid from appropriations made therefor, or such property lost, destroyed, captured, or aban-

doned, or so damaged as to be unfit for service, may be replaced in kind from Government property on hand by the supply officer or quartermaster of the organization to which the person entitled thereto belongs or with which he is serving upon the order of the commanding officer thereof.

"Tender of replacement or the determination made by the Secretary of War upon a claim presented as provided for in the foregoing paragraphs shall constitute a final determination of any claim cognizable under this act, and such claim shall not thereafter be reopened or considered by any accounting officer or court of the United States.

"No claim arising under this act shall be considered unless made within one year from the time that it accrued, or presented within six months after peace is established.

"For the payment of any awards hereunder there is appropriated the sum of \$200,000."

And the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: On page 49 of the bill, in line 20, strike out the word "Eighth" and insert in lieu thereof the word "Ninth"; and the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,500,000"; and the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert the following: "\$500,000, or so much thereof as may be necessary"; and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$150,000"; and the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"For support of Indian day, boarding, and industrial schools, in addition to the general and specific appropriations made for that purpose in the Indian appropriation act for the fiscal year 1918, \$250,000, or so much thereof as may be necessary: *Provided*, That the operation of the act of September 7, 1916 (35 Stat. L., 741), limiting annual expenditures for support and education of pupils in Indian schools to \$200 per capita, is hereby suspended during the fiscal year ending June 30, 1918: *Provided further*, That no part of this sum shall be expended upon improvements or used to increase the compensation of employees."

And the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$200,000"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In line 13 of the matter inserted by said amendment, after the word "subsistence," insert the following: "and not exceeding \$5,340 for personal services in the District of Columbia"; and the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows: In line 3 of the matter inserted by said amendment, after the word "increased," insert the following: "during the fiscal year 1918"; and in line 12 of the matter inserted by said amendment strike out the following: "or which shall be made"; and the Senate agree to the same.

Amendment numbered 89: That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$500,000"; and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$300,000"; and the Senate agree to the same.

Amendment numbered 100: That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$125,000"; and the Senate agree to the same.

Amendment numbered 119: That the House recede from its disagreement to the amendment of the Senate numbered 119, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,200,000"; and the Senate agree to the same.

Amendment numbered 120: That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$50,000"; and the Senate agree to the same.

SWAGAR SHERLEY,
JOHN J. EAGAN,
J. G. CANNON,

Managers on the part of the House.

THOMAS S. MARTIN,
O. W. UNDERWOOD,
F. E. WARREN,

Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9867) making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of said amendments, namely:

On No. 1: Inserts the paragraph proposed by the Senate, authorizing the President to purchase for the United States the property on the Hudson River owned by the North German Lloyd Dock Co. and the Hamburg-American Line Terminal & Navigation Co., and eliminates therefrom that portion of the amendment which provides that if the person entitled to receive payment for the property is not satisfied with the amount determined upon by the President such person shall be paid 75 per cent of the amount so determined by the President and shall be permitted to sue the United States to recover such further sum in addition to the 75 per cent as will be just compensation for such property.

On No. 2: Inserts a substitute for the amendment of the Senate which modifies the fourth paragraph of section 12 of the present trading-with-the-enemy act, as follows: Authorizes the alien property custodian to dispose of property, other than money, as though he were the absolute owner thereof instead of under the existing law, which permits him to dispose of it "only when necessary to prevent waste and to protect such property."

The substitute further provides, in lieu of the Senate requirement that property shall be sold only at public auction and to the highest bidder, that any property sold, except to the United States, shall be sold only to American citizens, at public sale to the highest bidder, after public advertisement of the time and place of sale, which shall be where the property or a major portion thereof is situated unless the President, stating the reasons therefor, in the public interest shall otherwise determine; and reserves to the alien property custodian, upon the order of the President, who shall state the reasons therefor, the right to reject all bids and resell such property at public sale or otherwise as the President may direct. The substitute further provides a fine of \$10,000 or imprisonment for 10 years, or both, and forfeiture of the property to the United States upon conviction of any person purchasing property from the alien property custodian for an undisclosed principal, or for resale to a person not a citizen of the United States, or for the benefit of a person not a citizen of the United States.

On No. 3: Appropriates \$37,000 as proposed by the Senate, instead of \$20,000 as proposed by the House, for salaries and expenses of the Employees' Compensation Commission.

On No. 4: Appropriates \$2,000, instead of \$5,000 as proposed by the Senate, and \$1,500 as proposed by the House, for the Legislative Reference Bureau of the Library of Congress.

On No. 5: Appropriates \$800,000, instead of \$1,018,331 as proposed by the Senate, for salaries and expenses of the War Trade Board.

On No. 6: Appropriates \$27,856.72, as proposed by the Senate, for contingent expenses of foreign missions.

On No. 7: Strikes out the appropriation of \$20,000, inserted by the Senate, for transportation of diplomatic and consular officers.

On No. 8: Appropriates \$80,000, as proposed by the Senate, for the relief and protection of American seamen.

On No. 9: Appropriates \$50,000, instead of \$300,000 as proposed by the Senate, for emergencies arising in the Diplomatic and Consular Service, and strikes out the authority for the use of this sum for personal services in the District of Columbia.

On No. 10: Appropriates \$35,000, instead of \$100,000 as proposed by the Senate, for contingent expenses of United States consulates.

On No. 11: Appropriates \$7,000 as proposed by the Senate, instead of \$3,500 as proposed by the House, for miscellaneous contingent items in the Treasury Department.

On No. 12: Appropriates \$5,000 as proposed by the House, instead of \$11,000 as proposed by the Senate, for furniture for the Treasury Department.

On No. 13: Appropriates \$500,000, as proposed by the Senate, for beginning the construction of the Treasury Building Annex, modified so as to provide that no part of the sum appropriated shall be expended until after the acceptance of such plans, specifications, and bids as will complete the building within the authorized limit of cost.

On No. 14: Appropriates \$300,000, as proposed by the Senate, for salaries and expenses of the Customs Service in enforcing the espionage act and trading-with-the-enemy act.

On Nos. 15, 16, 17, and 18, relating to the Public Health Service: Appropriates \$20,000 as proposed by the House, instead of \$30,000 as proposed by the Senate, for fuel, light, and water for marine hospitals; extends, as proposed by the Senate, the use of the fund of \$500,000 for the control of communicable diseases in areas adjoining military and naval reservations to other Government reservations and works for the protection of the civil population, and strikes out the increase of \$25,000 proposed by the Senate; appropriates \$25,000, instead of \$30,000 as proposed by the Senate, for maintenance and ordinary expenses of the Quarantine Service.

On Nos. 19, 20, 21, 22, 23, and 24, relating to the District of Columbia: Appropriates \$50,000, as proposed by the Senate, for replacing the fenders of the Highway Bridge across the Potomac River; inserts the paragraph, proposed by the Senate, extending during the fiscal year 1918, the appropriation for paving Park Road; appropriates \$10,000, instead of \$15,000 as proposed by the Senate, for the use of school buildings as community forums and civic centers; appropriates \$5,000 as proposed by the Senate, instead of \$3,000 as proposed by the House, for repairs to the fire boat; appropriates \$12,000, as proposed by the Senate, for a new elevator for the Emergency Hospital; and appropriates \$66,700, as proposed by the Senate, for the extension of water mains to accommodate the new temporary Government office buildings.

On No. 25: Appropriates \$3,000,000, instead of \$4,470,747.30 as proposed by the Senate, for temporary employees for the War Department.

On No. 26: Inserts the paragraph, proposed by the Senate, authorizing the Chief of Ordnance to appoint an Army officer serving in his office to act as disbursing officer for the payment of civilian employees in the Ordnance Office during the fiscal year 1918.

On No. 26a: Appropriates \$600,000, instead of \$488,000 as proposed by the House, and \$738,208.83 as proposed by the Senate, for contingent expenses of the War Department.

On No. 27: Appropriates \$289,899.95, as proposed by the Senate, for rent of buildings in the District of Columbia for the War Department.

On No. 28: Inserts the paragraph, proposed by the Senate, authorizing the Secretary of War to erect a telephone switchboard building between Seventeenth and Eighteenth and F and G Streets NW., in the District of Columbia.

On Nos. 29, 30, and 31, relating to armories and arsenals: Appropriates \$95,000, as proposed by the Senate, for improving the water-power plant at Rock Island Arsenal; strikes out the appropriation of \$100,000, proposed by the Senate, for the extension of the main office building at the Watertown Arsenal; and makes a verbal correction in the text of the bill.

On No. 32: Appropriates \$2,000, as proposed by the Senate, for fuel for the Executive Mansion and greenhouses.

On No. 33: Appropriates \$1,500, as proposed by the Senate, for heating offices, watchmen's lodges, and the greenhouses at the propagating gardens.

On No. 34: Appropriates \$2,000, as proposed by the Senate, for fuel and miscellaneous expenses of the Washington Monument.

On No. 35: Strikes out the appropriation of \$7,056.37 for reimbursement of the State of Massachusetts for expenses in supplying State troops at the request of the United States marshal at Boston.

On No. 36: Appropriates \$5,000,000, instead of \$5,500,000, as proposed by the Senate, and \$3,000,000, as proposed by the House, for mileage of officers of the Army.

On No. 37: Appropriates \$26,358,176, instead of \$28,358,176, as proposed by the Senate, and \$23,293,076, as proposed by the House, for regular supplies of the Quartermaster Corps.

On No. 38: Appropriates \$4,500, as proposed by the Senate, for the expenses of the New York war port board.

On No. 39: Appropriates \$61,252,744, instead of \$67,252,744, as proposed by the Senate, and \$52,151,604, as proposed by the House, for barracks and quarters.

On No. 40: Appropriates \$18,681,820, instead of \$20,181,820, as proposed by the Senate, and \$13,996,820, as proposed by the House, for water and sewers at military posts.

On No. 41: Appropriates \$9,194,100, instead of \$9,944,100, as proposed by the Senate, and \$7,303,800, as proposed by the House, for roads, walks, wharves, and drainage at military posts.

On Nos. 42 and 43, relating to the construction and repair of Army hospitals: Appropriates \$19,654,300, instead of \$21,274,300, as proposed by the Senate, and \$18,000,000, as proposed by the House, and inserts the language, proposed by the Senate, making the appropriation available for electrical work and cooking apparatus.

On No. 44, relating to claims of officers and enlisted men of the Army for loss of private property: Inserts a substitute for the amendment of the Senate, which is printed in full elsewhere in this report and which is self-explanatory.

On No. 45: Appropriates \$27,996,100, as proposed by the House, instead of \$33,996,100, as proposed by the Senate, for the manufacture of arms.

On No. 46: Appropriates \$5,000,000, as proposed by the Senate, for terminal storage and shipping buildings for use of the Ordnance Department of the Army.

On Nos. 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, and 64, relating to the temporary office buildings in Henry Park: Appropriates for the following additional employees, as proposed by the Senate: Assistant superintendent, \$2,000; messenger, \$720; 3 electricians, at \$1,000 each; 2 carpenters, at \$1,000 each; 2 general mechanics, at \$1,000 each; chief engineer, at \$1,400; 4 assistant engineers, at \$1,200 each; steam fitter, at \$1,080; 20 laborers, at \$660 each; 20 guards, at \$720 each; 1 forewoman of charwomen, at \$300; and 20 charwomen, at \$240 each; omits 1 electrician, at \$1,200, and 2 assistant engineers, at \$1,400 each; provides, as proposed by the Senate, that the superintendent of the State, War, and Navy Building shall serve as superintendent of buildings in Henry Park; and appropriates \$100,000, as proposed by the Senate, for the completion of said buildings.

On No. 65: Inserts the language, proposed by the Senate, authorizing the Secretary of the Navy to contract for the heating of the temporary office buildings in Potomac Park, if, in his judgment, it would be more economical than to erect and operate a separate power plant, and corrects an error as to the location of one of the buildings on the Mall.

On No. 66: Strikes out the language, inserted by the Senate, providing for the removal of the temporary office buildings in Seaton Park within two years after the conclusion of the war and the use of that park as part of the Botanic Garden.

On No. 67: Provides that the maintenance and protection of the temporary office buildings authorized in this act shall be under the supervision and direction of the superintendent of the State, War, and Navy Department Building, as proposed by the Senate, instead of under the officer in charge of public buildings and grounds, as proposed by the House.

On Nos. 68, 69, and 70, relating to the Navy Department: Strikes out the appropriation, proposed by the Senate, of \$1,575 for additional employees in the office of the Secretary of the Navy and strikes out the appropriation of \$1,000, proposed by the Senate, for additional books.

On No. 71: Appropriates \$5,499,737 as proposed by the Senate, instead of \$2,000,000 as proposed by the House, for tools and machinery plant for the Naval Gun Factory at Washington, D. C.

On No. 72: Strikes out the appropriation of \$25,000 proposed by the Senate, for contingent expenses of the Bureau of Ordnance of the Navy Department.

On No. 73: Appropriates \$2,500,000, instead of \$4,144,000 as proposed by the Senate, and \$750,000 as proposed by the House, for maintenance of navy yards and docks.

On No. 74: Appropriates \$2,750,000 as proposed by the House, instead of \$7,750,000 as proposed by the Senate, for temporary hospital construction for the Navy.

On No. 75: Appropriates \$2,500,000 as proposed by the Senate, instead of \$500,000 as proposed by the House, for improvements at naval ordnance stations.

On No. 76: Appropriates \$1,570,000 as proposed by the House, instead of \$3,140,000 as proposed by the Senate, for improvement and equipment of navy yards.

On No. 77: Appropriates \$55,072.25 as proposed by the House, instead of \$222,935 as proposed by the Senate, for payment for land at the Hampton Roads, Va., naval operating base.

On No. 78: Appropriates \$560,000, or so much thereof as may be necessary, instead of \$705,000 as proposed by the Senate, for the purchase of land for naval warehouses in South Brooklyn, N. Y.

On No. 79: Appropriates \$1,000,000 as proposed by the Senate, instead of \$500,000 as proposed by the House, for repairs and preservations at navy yards and stations.

On No. 80: Authorizes the use of \$150,000 instead of \$200,000 as proposed by the Senate, and \$100,000 as proposed by the House, for pay of clerical, inspection, and other services under the Bureau of Supplies and Accounts of the Navy.

On No. 81: Appropriates \$1,180,000, as proposed by the Senate, instead of \$800,000 as proposed by the House, for the contingent expenses of the Marine Corps.

On No. 82: Appropriates \$250,000 for the support of Indian schools, without reference to the per capita cost of maintenance therein, as proposed by the Senate, instead of under the limitation of per capita cost as proposed by the House.

On No. 83: Strikes out the authority, proposed by the House, for the use of not to exceed \$50,000 of the funds derived from the sale of timber on the Red Lake Indian Forest, Minn.

On No. 84: Appropriates \$200,000 instead of \$250,000 as proposed by the Senate, and \$150,000 as proposed by the House, for the examination and classification by the Geological Survey of lands for enlarged homesteads, stock-raising homesteads, public watering places, and stock driveways.

On No. 85: Appropriates \$150,000, as proposed by the Senate, to enable the Bureau of Mines to make necessary investigations in connection with the development of mineral products for use in the war.

On No. 86: Inserts the paragraph, proposed by the Senate, adjusting the compensation of certain employees in St. Elizabeth's Hospital, modified so as to confine such adjustment to the fiscal year 1918.

On No. 87: Appropriates \$20,000, as proposed by the Senate, for expenses of the Post Office Department in connection with the enforcement of the espionage act and the trading-with-the-enemy act.

On Nos. 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, and 100, relating to the Postal Service: Appropriates \$300,000 as proposed by the Senate, instead of \$150,000 as proposed by the House, for miscellaneous expenses at first and second class post offices; appropriates \$500,000 instead of \$600,000 as proposed by the Senate, and \$400,000 as proposed by the House, for vehicle service; appropriates \$300,000 instead of \$400,000 as proposed by the Senate, and \$250,000 as proposed by the House, for mail-messenger service; inserts the limitation, proposed by the Senate, upon the appropriation for the censorship of mails, to prohibit the use of that sum for paying expenses of censoring mail from the military forces in Europe which has been censored in Europe; appropriates \$60,000, as proposed by the Senate, for the manufacture of postage stamps; appropriates \$700,000, as proposed by the Senate, for the manufacture of stamped envelopes; appropriates \$180,000, as proposed by the Senate, for the payment of indemnity on lost domestic mail matter; appropriates \$160,000, as proposed by the Senate, for stationery; appropriates \$10,000, as proposed by the Senate, for the repair of stamps and stamping devices; appropriates \$35,000, as proposed by the Senate, for the shipment of supplies; appropriates \$40,000, as proposed by the Senate, for equipment for city-delivery service; and appropriates \$125,000, instead of \$250,000 as proposed by the Senate, for mail bags.

On Nos. 101, 102, and 103, relating to the Department of Justice: Strikes out the appropriations inserted by the Senate, as follows: \$2,500 for furniture and repairs, \$2,500 for stationery, and \$7,500 for miscellaneous items.

On Nos. 104, 105, and 106, relating to the Coast Survey: Appropriates, as proposed by the Senate, for three dynamo tenders at \$1,080 each and three laborers at \$840 each; strikes out the appropriation of \$8,000 for additional expenses in the preparation of charts.

On Nos. 107 and 108, relating to the Lighthouse Service: Appropriates \$15,000, as proposed by the Senate, for the installation of an electrically operated fog-signal whistle on the east breakwater at Nantucket, Mass.; appropriates \$150,000 as proposed by the Senate, instead of \$100,000, as proposed by the

House, for reestablishing and repairing structures on the Atlantic coast damaged or destroyed by ice or storms.

On Nos. 109, 110, 111, 112, 113, 114, 115, 116, and 117, relating to the Senate: Appropriates for items under the Senate in the amounts and in the manner proposed by the Senate.

On No. 118: Appropriates for two additional telephone operators at the rate of \$900 each for the House of Representatives from April 1 to June 30, 1918.

On Nos. 119 and 120, relating to the Government Printing Office: Appropriates \$1,200,000 instead of \$1,585,841.49 as proposed by the Senate, and \$1,000,000 as proposed by the House, for printing and binding for the War Department; and appropriates \$50,000, instead of \$100,000 as proposed by the Senate, for printing and binding for the Navy Department.

SWAGAR SHERLEY,
JOHN J. EAGAN,
J. G. CANNON,

Managers on the part of the House.

STANDARD WEIGHTS OF FLOUR, MEAL, ETC.

Mr. ASHBROOK. Mr. Speaker, yesterday I introduced a bill (H. R. 10957) to establish the standard of weights and measures for flours, meals, and commercial feeding stuffs, and for other purposes, and it was referred to the Committee on Agriculture. I think it should properly have been referred to the Committee on Coinage, Weights, and Measures, and I ask unanimous consent to have it so referred.

The SPEAKER. The gentleman from Ohio asks unanimous consent to re-refer the bill H. R. 10957, which fixes the weight of flour and meal, from the Committee on Agriculture to the Committee on Coinage, Weights, and Measures. Is there objection?

Mr. McLAUGHLIN of Michigan. Mr. Speaker, reserving the right to object, has the gentleman conferred with the chairman of the Committee on Agriculture respecting this?

Mr. ASHBROOK. I have not; but I introduced the bill myself, and it refers to the fixing of standard weights and measures of these commodities, and should properly go to the Committee on Coinage, Weights, and Measures.

Mr. McLAUGHLIN of Michigan. Will not the gentleman be willing to wait until Mr. LEVER, the chairman of the Committee on Agriculture, is present?

The SPEAKER. Is there objection?

There was no objection.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 3689. An act authorizing the Postmaster General to cancel or readjust the screen-wagon contract of H. H. Hogan, at Kansas City, Mo.

CIVIL-SERVICE EXAMINATIONS—CONFERENCE REPORT.

Mr. GODWIN of North Carolina. Mr. Speaker, I call up the conference report on Senate joint resolution 117, amending the act of July 2, 1909, governing the holding of civil-service examinations, and move its adoption.

The SPEAKER. The Clerk will read the conference report.

The Clerk read the conference report as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the joint resolution (S. J. Res. 117) amending the act of July 2, 1909, governing the holding of civil-service examinations, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, and 3, and agree to the same.

H. L. GODWIN,

C. D. CARTER,

Managers on the part of the House.

KENNETH MCKELLAR,

REED SMOOT,

Managers on the part of the Senate.

The SPEAKER. The question is on agreeing to the conference report.

Mr. CANNON. Mr. Speaker, will the gentleman make a statement in respect to this?

Mr. GODWIN of North Carolina. Mr. Speaker, the Senate receded from its disagreement to the amendments of the House, and agreed to adopt the resolution as it passed the House.

Mr. GILLET. Mr. Speaker, this is signed by all of the conferees?

Mr. GODWIN of North Carolina. It is signed by two and the other I could not get, because he was out of the city.

Mr. GILLET. I understand that one of the conferees did not have any notice of the conference and knew nothing about it.

Mr. GODWIN of North Carolina. His office was called up twice, but he was away, his secretary told me, attending the funeral of the late Representative CARSWICK in New Jersey. The Senate withdrew its disagreement to the House amendment. There could not have been any controversy.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

The SPEAKER. This is Unanimous Consent Calendar day.

Mr. ASHBROOK. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Ohio rise?

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent for one minute's time in order to make a statement to the House.

The SPEAKER. The gentleman from Ohio asks for one minute. Is there objection?

Mr. WALSH. What is it about?

Mr. ASHBROOK. Well, I can explain to the gentleman in one minute. During the past week I have had referred to me by Members of this House I presume at least 100 letters concerning the bill H. R. 2878.

Mr. WALSH. I have no objection.

Mr. ASHBROOK. There seems to be some sort of a propaganda going around about this bill of which I have no knowledge. The bill is a bill introduced by the gentleman from Massachusetts [Mr. TILSON] to regulate and control the manufacture, sale, and use of weights and measures and of weighing and measuring devices. These letters all read about the same, and I will read one paragraph from this letter:

We are advised there is now pending before Congress a resolution for the withdrawal of H. R. 2878 from the Committee on Coinage, Weights, and Measures in order to permit action upon it.

I wish to say to the House that the author of this bill has made no request to have the bill considered and the committee has not considered the bill, and so far as I know there has not been a resolution introduced in the House asking to have the bill withdrawn from the Coinage, Weights, and Measures Committee.

Mr. LONGWORTH. Is that in reference to the metric system?

Mr. ASHBROOK. That is the bill so called the gentleman referred to; yes, sir.

The SPEAKER. To-day is Unanimous Consent Calendar day, and the Clerk will report the first bill.

VOCATIONAL EDUCATION.

The first business in order on the Calendar for Unanimous Consent was the joint resolution (S. J. Res. 110) to amend an act entitled "An act to provide for the promotion of vocational education," approved February 23, 1917.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I am authorized by the gentleman from Florida [Mr. SEARS] who reported this bill to say that this matter has been covered in the urgent deficiency bill just agreed to in conference and to object to it and to move to lay the bill on the table.

The SPEAKER. The gentleman from Wisconsin moves to lay this bill on the table for the reason stated.

The motion was agreed to.

MEDALS OR DECORATIONS FROM FOREIGN GOVERNMENTS.

The next business in order on the Unanimous Consent Calendar was the bill (S. 2796) to permit American citizens to wear medals or decorations received from certain foreign countries on entering the military or naval service of the United States, and for other purposes.

The Clerk read the bill by title.

The SPEAKER. Is there objection?

Mr. PADGETT. Mr. Speaker, there is objection to the bill. I spoke to the gentleman from Nebraska [Mr. SHALLENBERGER], from the Committee on Military Affairs, some days ago, and he stated that the committee did not intend to push the bill, so I will ask that it be passed over until he comes in.

The SPEAKER. The gentleman asks to pass over this bill without prejudice.

Mr. MONDELL. Will the gentleman yield to me?

Mr. PADGETT. Yes, sir.

Mr. MONDELL. What is the character of the objection to this legislation?

Mr. PADGETT. The objection is that the Navy Department wrote me a letter objecting to it, so far as that Department was concerned, on the ground that our men should not receive medals from other countries; that they should look to their own country and their own service for the medals. I had an

official letter from the Secretary of the Navy on the matter, and I spoke to the gentleman from Nebraska [Mr. SHALLENBERGER] about it, and he said, having given it further consideration after he reported it, that he was inclined to the same opinion; that he did not intend to push the bill or to have it passed.

Mr. MONDELL. Is there objection from the War Department?

Mr. PADGETT. I do not know about the War Department. I am not advised.

The SPEAKER. Is there objection to passing this bill over without prejudice?

Mr. FOSTER. As I understand it, the gentleman wants to pass it over temporarily until the gentleman from Nebraska can come in.

The SPEAKER. That is all right.

Mr. HUDDLESTON. Mr. Speaker, reserving the right to object, I do not object to the bill being kept on the calendar, but I do not want it taken up again during the day, and unless it can be passed over until some other day I shall object.

The SPEAKER. What does the gentleman from Tennessee say?

Mr. STAFFORD. Mr. Speaker, in view of the statement made by the gentleman from Alabama, I ask unanimous consent that the bill be placed at the foot of the calendar.

The SPEAKER. The gentleman from Wisconsin asks that the bill be passed without prejudice and put at the foot of the calendar. Is there any objection to that? [After a pause.] The Chair hears none.

MEDALS OF HONOR AND DISTINGUISHED-SERVICE MEDALS.

The next business in order on the Calendar for Unanimous Consent was the bill (S. 1720) to provide for the award of medals of honor and distinguished-service medals.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, this is a most important bill, and I do not think it should be considered by unanimous consent, and therefore I object.

Mr. MADDEN. Will the gentleman withhold the objection?

Mr. STAFFORD. I will withhold the objection.

Mr. MADDEN. I hope there will not be any objection to this bill. This is a matter that relates to our own soldiers and sailors.

Mr. MONDELL. Mr. Speaker, reserving the right to object, I think some such bill should be passed, but there is a committee amendment to the bill which is very objectionable, and unless some understanding can be had in regard to that particular feature of the bill I agree with the gentleman from Wisconsin that the bill ought not to be considered at this time. This amendment would open all the military records of the past to search with a view to granting these new medals for alleged acts of gallantry or merit in all the years that have passed. In that respect it changes very profoundly the character of the bill as the Senate passed it. It is a matter of such importance that it ought not to be considered now unless there can be an understanding in regard to that particular section.

I do not see any member of the Military Committee here prepared to make a statement with regard to the bill.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice and take its place at the foot of the calendar.

The SPEAKER. The gentleman from Wisconsin asks that the bill be passed by without prejudice and go to the foot of the calendar. Is there objection?

There was no objection.

GEORGIA EXPERIMENT STATION.

The next business on the Calendar for Unanimous Consent was the joint resolution (H. J. Res. 231) authorizing the Secretary of Agriculture to certify to the Secretary of the Treasury for payment, and the Secretary of the Treasury to pay, the appropriation for the Georgia Experiment Station of the State of Georgia, under act of March 4, 1917, for the fiscal year ending June 30, 1918, to the board of trustees of the Agricultural and Mechanical College of the State of Georgia, and for other purposes.

The bill was reported by title.

Mr. MONDELL. Mr. Speaker, reserving the right to object, I would like to have the attention of the gentleman from Georgia [Mr. WISE] who has charge of this resolution. I shall not object to the resolution provided the gentleman offers an amendment, which I think he is prepared to offer, making it clear what appropriations are to be paid to this college.

Mr. WISE. I have an amendment of that kind.

Mr. MONDELL. The gentleman has such an amendment, and there are two other amendments to which I desire to call the gentleman's attention. On page 5, line 3, the word "hereafter" is used. That word is entirely superfluous, because that particular part of the resolution refers to the payment of a specific appropriation. There is no necessity for using the word "hereafter" in that connection. Without that word both the Secretary of Agriculture and the Secretary of the Treasury are directed to make this payment for the fiscal year ending June 30, 1918. So that is entirely superfluous.

Now, in line 8, the word "all" is used. The objection to the use of that word is this, that while it is the intent and purpose to direct the Secretary of Agriculture to pay future appropriations to this particular institution, it is not intended, I assume, to direct him by congressional action to pay them to this institution if conditions should change in the institution whereby it failed some time in the future, some failure not now existing in connection with the present situation, to do its duty in the expenditures of these funds. The bill is just as strong without the use of the word "all," except that it does not project the congressional direction to the end of time and without regard to new conditions that might arise. And let me suggest to the gentleman that some time in the future the Georgia Legislature might create a new condition if they desired to have the fund transferred, in which case the word "all" would stand as a bar to doing that. I assume the gentleman does not care to go that far.

Mr. WISE. No. I will state to the gentleman I did not construe this as the gentleman does. However, I have no objection to that amendment. The gentleman will notice that this appropriation is to be made in accordance with the act of the General Assembly of Georgia, which directs the appropriation to a certain institution.

Mr. MONDELL. That is true.

Mr. WISE. Now, if the general assembly should amend that act, I do not think the word "all" would make any difference.

Mr. MONDELL. Still the word "all" in an act of Congress would stand as a bar as to a change of law by the Georgia Legislature, and, further, it would compel the Secretary to pay the money to this institution, although it failed to properly expend the funds. If the gentleman will accept these amendments, I shall not object.

Mr. WISE. I have no objection to striking out the word "all."

Mr. STAFFORD. Mr. Speaker, reserving the right to object, the directors of the Association of Agricultural Colleges and Experiment Stations have taken action in opposition to this bill. They predicate their opposition to it on fundamental grounds that are vital in the expenditure of Government funds for the use of experiment stations in the respective States. They claim that it is vital, if the agricultural interests of this country are going to have the benefits from the utilization of the various funds that Congress appropriates under the Morrill Act, under the Hatch Act, under the Adams Act, under the Smith-Lever Act, that there should be some concentration of those funds in one agency in each State. They think that it is a pure waste of Government funds to allow this money to be appropriated for the benefit of this isolated experiment station, as it is proposed in this case, where that experiment station receives no appropriation from the State to support its activities and where it does not receive any educational benefit or direction from the said institution. This is an isolated case, one that has never been before presented to the attention of the House.

At the time of the passage of the Hatch Act, as I recall, in 1887, there were experiment stations located in three States independent of support from agricultural colleges. But it has been the purpose of all the legislation since then that the appropriations that have been made by Congress should be at the disposal of some central authority in the State. This seeks to except that and allow these funds to go to an experiment station which receives substantially no support from the State whatsoever.

Mr. GARRETT of Tennessee. I want to ask the gentleman if it is his purpose to object.

Mr. STAFFORD. If the gentleman will permit, the Secretary of Agriculture is strongly opposed to this bill, the representatives of the Association of Agricultural Colleges and Experiment Stations are unitedly in opposition to it, and opposed to the policy as establishing a precedent, and under those circumstances I feel obliged to object.

Mr. CRISP. Is the gentleman aware of the fact that for 29 years the Government has continued to pay the money allotted to Georgia under the Hatch Act to this institution, and that the Committee on Agriculture has unanimously recommended that this bill pass; that this bill does not cost the Government one

cent, and that the present Secretary of Agriculture for three years has paid this money to this institution, and that all Secretaries for 29 years have paid it, up to this year? This bill simply requires that he shall continue to pay the money allotted Georgia to this institution, as it has been paid for 29 years.

Mr. STAFFORD. Mr. Chairman, in reply to the gentleman's statement that this has the unanimous approval of the Committee on Agriculture, I may say that in talking to one prominent member of that committee he stated it was not his intention to favor, as this law does, for all time, the use of the appropriation of the Federal money to this experiment station, but it should only go temporarily, until the State of Georgia by its legislation could rectify the condition. I have no objection to allowing this fund to go temporarily to the State, but when the Secretary of Agriculture and the Association of Agricultural Colleges and Experiment Stations take the united stand that this is against the best interests of agriculture in this country—and I may say parenthetically that I have given more than usual attention to this bill, because—

Mr. CRISP. I admit that the gentleman is an authority on agriculture.

Mr. STAFFORD. The gentleman may be sarcastic, but when the representatives of the Association of Agricultural Colleges and Experiment Stations come to me and present their case I assume it is my duty to give them a hearing, and I have done so, because I want to do no injustice to the State of Georgia. I can say that I have no objection to this money being appropriated temporarily for the use of this station. The only money that is appropriated for its use is by Congress, which would constitute such a precedent that I am constrained to object.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. I will withhold the objection, allowing the gentleman from Michigan, who is a member of the committee, to make a statement.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, this bill was referred to the Committee on Agriculture, of which I am a member, and referred by the committee to a subcommittee of which I became a member, and I know something about it.

The act of Congress under which this money is payable to the States provides among other things that an annual appropriation shall be made to experiment stations organized in a certain way at the time that the act was passed. The station in Georgia was not organized until a little later, a little more than a year later, as I remember, but each Secretary of Agriculture, from the time the station was organized in Georgia until this very year, has recognized it as the proper institution in Georgia to receive the money, and out of annual appropriations the allotment was made to this institution in Georgia during these years—29 years in all. It seemed to our committee that this institution, meeting all the requirements of the law and having been recognized so long, ought to continue to be recognized.

The gentleman from Wisconsin [Mr. STAFFORD] says that the Secretary of Agriculture is strongly opposed to this act. The Secretary of Agriculture was twice asked, once by the Committee on Agriculture as a whole and later by the subcommittee of that committee, to communicate with it and to state his reasons, because we respect him and his opinions; and if one will read what the Secretary has said in both of his communications he will find that there is absolutely nothing in the Secretary's statement in support of the gentleman's objection except that the institution does not strictly come within the provisions of the law, because it was organized, as I say, about a year after the law was passed. Peruse the statement made by the Secretary and peruse his report, his communication to the committee and to the subcommittee, and you will find nothing, except what I have stated, to justify the statement of the gentleman from Wisconsin that the Secretary of Agriculture is opposed to this bill.

Now, in my judgment, as a member of the committee and as a member of the subcommittee, this institution in Georgia justifies and, during the years past, has justified the payment of the money to it by the Secretary of Agriculture, and it seems to me the statute of limitations runs against the proposition that the money ought now to be withheld. There is no question as to the character of the institution. There is no question but that the money has been properly used. There is a difference of opinion in Georgia, which has arisen lately, some jealousy between the heads of the different institutions in that State, and the head of one of the institutions that has not been receiving any of this money thinks his institution

ought to receive it; or, at least, his feeling against the institution at present receiving it is such that he would be willing to deprive that institution of the benefit of the money.

In my judgment the bill is right. Perhaps it would be better if the word "hereafter" were stricken out. Perhaps it would be better and safer if the amendment suggested by the gentleman from Wyoming [Mr. MONDELL] were followed, to strike out the word "all." But this year's money ought to be paid to that institution in Georgia, and the statements of the gentleman from Wisconsin are not borne out by the facts as they have been brought to the attention of the Committee on Agriculture and as I believe they exist. [Applause.]

Mr. MONDELL. Mr. Speaker, reserving the right to object, the gentleman from Wisconsin [Mr. STAFFORD] objects to the measure on the ground that it establishes a dangerous precedent.

Well, it was contemplated at the time of the passage of the Morrill and Hatch Acts and realized when these other acts were passed that conditions might arise when it would be necessary for Congress to designate specifically the institution which was for the time at least to receive the funds. Such a condition has arisen in Georgia. The only objection to the legislation as reported is that, without striking out the word "hereafter" and the word "all," it might be held to fix for all time the appropriations in this institution, without regard to changing conditions there, either through the act of the Georgia Legislature or by reason of the failure of the institution in future to comply with the law. But with the amendment I have suggested we are following out the spirit of the Hatch Act in designating, where there is a difficulty of this kind and a misunderstanding, the institution that is to receive the money, so long as it complies with the provisions of the act and—

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes; in just a moment. So long as the moneys are properly expended.

Now, if you will strike out the word "hereafter" and the word "all," it simply provides that last year's appropriation shall be paid to that institution and future appropriations shall be paid—future appropriations, so long, of course, as the institution qualifies and continues to qualify under the acts—and there is no doubt about the moneys having been properly spent and about the institution having done good work.

Now I yield to the gentleman from Wisconsin.

Mr. STAFFORD. Is the gentleman aware of the fact that the governor of Georgia had a conference with the Secretary of Agriculture here at Washington, at which representatives of the State of Georgia were present, and it was agreed between the governor of Georgia and the Secretary of Agriculture that a bill giving temporary relief should be introduced, so that the State of Georgia might take action whereby this fund would be, as in other States, distributed through the State college of agriculture or the State university?

The bill as presented in that form was not, although it had the full approval of the governor of the State, accepted by the local representatives of the State of Georgia. Furthermore, if the gentleman will permit, in view of the statement made by the gentleman from Michigan [Mr. McLAUGHLIN], it seems indeed strange that in reporting the bill in this form no reference whatsoever is made in the report to the attitude of the Secretary of Agriculture, nor is any reference made in that report to the letter in which he objected to the bill in its present form.

I said in the beginning that I have no objection to the State of Georgia getting this money temporarily, until the State of Georgia can correct its laws whereby this fund can be utilized, as in other States, through one central agency.

Mr. WISE. Mr. Speaker, the gentleman refers to the consultation of the representatives of Georgia where the Secretary was present. I happened to be one of them. The gentleman is in error when he says they agreed upon a resolution to take care of this institution temporarily. The first proposition we indicate is to pay this money to the State university, a purely literary institution.

Mr. STAFFORD. Was not the proposition to have this money go to the central institution and have that institution use it in connection with its other agricultural activities?

Mr. WISE. For 29 years it has been paid in accordance with the laws of Georgia.

Mr. STAFFORD. In the Morrill Act, in the Hatch Act, and in the Lever Act it was provided that the money should go to one central body in the State, to be used and coordinated in agricultural pursuits, whereas, if this bill passes, this money goes to this experiment station, as it has gone for 29 years past,

an institution for the support of which not one cent has been appropriated by the State of Georgia.

Mr. WISE. The gentleman is in error about that. In this very case the Morrill fund goes to the State university.

Mr. STAFFORD. I am quite aware of that.

Mr. WISE. Originally the Secretary of Agriculture insisted that this should go to the State university; but later, when he was informed that they had a State agricultural college, which is under an entirely separate and distinct board of trustees, he changed his view and said that the funds might go to the State agricultural college.

Mr. STAFFORD. Certainly, he wants it to go to some central institution which has support from the State and not to an institution like this experiment station, which has no support from the State.

Mr. WISE. The gentleman is in error about that. It does have some support from the State.

Mr. STAFFORD. How much?

Mr. WISE. The gentleman said it had none.

Mr. STAFFORD. Oh, well, a trifling amount.

The SPEAKER. Is there objection?

Mr. STAFFORD. I object.

Mr. WISE. I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. The gentleman from Georgia asks unanimous consent that the bill be passed over without prejudice. Is there objection?

Mr. STAFFORD. I object.

Mr. McLAUGHLIN of Michigan. Will the gentleman reserve his objection for a moment? Will the gentleman consent if the word "hereafter" is stricken out, so that it will apply only to this year?

Mr. STAFFORD. I stated to the gentleman in my initial remarks that I have no objection whatsoever to this money being allotted to this experiment station for this year, until the State of Georgia can provide for its future distribution, so as to conform to the way these appropriations are distributed in other States.

Mr. WISE. If the gentleman will permit me, right there I should like to state that if you confine this to the present appropriation, which expires on June 30 with the fiscal year, the General Assembly of Georgia does not meet until the latter part of June. The appropriation, that has already passed this House and the Senate and is now, or soon will be, in conference, provides for the next fiscal year. It is a matter of impossibility to get men who are qualified to run this institution to take the place with the fact staring them in the face that there is no appropriation and no act of the general assembly which will take care of the situation, because they will not quit places which they are qualified to fill and go down there and take the position on an uncertainty. This resolution undertakes to provide for that by making the next appropriation available.

Mr. STAFFORD. I will go further, because it was my original intention, as indicated by my statement, not to object to a remedial measure authorizing the payment of these funds to this experiment station until the Georgia Legislature can act, so as to correct the conditions and conform to the conditions in other States. That is the position of the Secretary of Agriculture. That position has the support of Gov. Dorsey, of your State. I am not unreasonable when I take this position.

Mr. WISE. The gentleman says it has the support of Gov. Dorsey. Gov. Dorsey was up here trying to get this money, and he did agree to things that ordinarily probably he would not agree to, except for the emergency that exists. Now, with the amendment that the gentleman from Wyoming suggests it seems to me it ought to meet the criticism of the gentleman from Wisconsin.

The SPEAKER. Does the gentleman from Wisconsin withdraw his objection?

Mr. STAFFORD. I do not. I object, Mr. Speaker.

The SPEAKER. The Chair thought perhaps gentlemen had patched up a compromise. The gentleman from Wisconsin objects. The bill will be stricken from the calendar.

PUBLIC QUARTERS FOR OFFICERS OF THE NAVY AND MARINE CORPS.

The next business on the Calendar for Unanimous Consent was the bill (S. 3406) to authorize the Secretary of the Navy to determine where and when there are no public quarters available for officers of the Navy and Marine Corps.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, I object.

The SPEAKER. The gentleman from Massachusetts objects. The bill will be stricken from the calendar.

PAYMENT OF GUN POINTERS AND GUN CAPTAINS.

The next business on the Calendar for Unanimous Consent was the bill (S. 3445) to authorize the payment of gun pointers and gun captains while temporarily absent from their regular stations, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Tennessee asks that this bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That during the period of the present war any enlisted man of the Navy or Marine Corps who has qualified, or who may hereafter qualify, as a gun pointer or gun captain, and who has been, or may hereafter be, detailed as gun pointer or gun captain for a gun of the class for which qualified, shall be entitled to the additional pay now or hereafter provided for such qualification and detail while temporarily absent by proper authority from the place where ordinarily required to perform duty under such detail, or while performing temporary duty which is not connected with such detail as gun pointer or gun captain.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. PADGETT, a motion to reconsider the vote by which the bill was passed was laid on the table.

INDIANHEAD RAILROAD.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 6982) to authorize and empower the Secretary of the Navy to enter into and contract for the construction of a line of railway from a point in the District of Columbia to Indianhead, Md.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. JOHNSON of Kentucky. Reserving the right to object, I wish to say that I do not desire to question the advisability of the construction of this railroad. Neither do I wish in any way to obstruct the building of the road, because it may be necessary; but I do very seriously object to the way in which this bill is drawn. Originally it was drawn to read:

To build a line of railway from the point at or in the vicinity of Benning, D. C., to Indianhead, Md.

That language has been changed to read:

To build a line of railway from a point in or in the vicinity of the District of Columbia to Indianhead, Md.

That would permit a steam railway to be constructed from any point in the District of Columbia. The District of Columbia in the past has undergone similar experiences, and in doing so has found itself compelled to pay hundreds of thousands of dollars. Where a fill is made in building a railroad in front of one or more residences those residences are brought below grade. Then Congress is called upon to pay damages for having left the houses down in a hole, and damages are awarded. In other instances the railroad makes a cut and leaves houses away up in the air, and damages are awarded on that account. As I see it, the plan to construct this railroad without any beginning point being named, except that it is to be somewhere in the District of Columbia, is most objectionable indeed.

Mr. PADGETT. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Kentucky. I yield to the gentleman from Tennessee.

Mr. PADGETT. The purpose was to authorize it from the navy yard. I have no objection to an amendment that would specify the navy yard.

Mr. JOHNSON of Kentucky. I think the bill ought to state plainly where it is to start and the route it is to pursue, because there, again, the question of grade crossings comes in. Many people are killed here every year by objectionable grade crossings, and I think this bill ought to make proper provision regarding such crossings.

Mr. ROBBINS. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. ROBBINS. What company is this that it is proposed to incorporate to build this railroad? It says some company.

Mr. JOHNSON of Kentucky. My answer is that as the bill does not state I do not know. Why the name of the railroad company is not put in the bill I do not know.

Mr. ROBBINS. Why is it they do not designate the terminals?

Mr. JOHNSON of Kentucky. The gentleman will have to ask somebody other than myself. I have not the information,

The chairman of the Committee on Naval Affairs may have the information, but I have not.

Mr. PADGETT. If the gentleman will turn to page 2 of the report he will find there set out a letter in which it is stated that the Washington-Newport News Short Line is the company that is proposing to construct the railroad. The idea was to build it by Indianhead to Newport News, Va., but the Government is only specially interested, and is intensely interested, to have the road as far as Indianhead. This simply guarantees the right of so much freight for six years after the road is constructed and in operation.

Mr. COOPER of Wisconsin. Mr. Speaker, will the gentleman permit an interruption?

Mr. JOHNSON of Kentucky. Yes.

Mr. COOPER of Wisconsin. What effect does this have on the power which Secretary McAdoo now has under the act nationalizing the railroads during the war?

Mr. PADGETT. I do not think anything.

Mr. COOPER of Wisconsin. I saw the other day in a newspaper that he had prohibited any railroad company from making any extension or improvement involving an expenditure of more than \$25,000, or something to that effect.

Mr. PADGETT. I have not seen anything of that kind. I do not think this would affect the matter at all. This is intended for transportation between the Indianhead proving grounds and powder factory and the gun factory.

Mr. COOPER of Wisconsin. Why was this authority given to some private railroad corporation rather than in express terms, if it is necessary at all, to the Director General of Railroads?

Mr. PADGETT. This railroad company was proposing to build the railroad, and I understand it has largely secured the rights of way and is prepared to begin the construction at once. The other would be a question of Government ownership, and the Government would have to pay the expenses. This does not cost the Government a cent.

Mr. JOHNSON of Kentucky. There is an additional objection. I would say that under the proposed plan the United States is to furnish the money with which to build this railroad.

Mr. PADGETT. I beg to differ with the gentleman; it is not at all. The Government does not furnish any money to build the railroad, not one cent.

Mr. JOHNSON of Kentucky. The bill provides that "the Secretary of the Navy is to advance to the said company a sum not exceeding \$360,000, in 12 semiannual payments of \$30,000 each, and to accept for that amount transportation warrants from said railroad company for a like amount, to be redeemed by charges from the transportation of freight for the Navy or the Navy Department."

Mr. PADGETT. And if the gentleman will read further he will find that it is after the road has been completed and is in operation. It does not make a single payment until the road is completed and in operation, and then it is estimated that the Government freight would be more than \$100,000 a year for a year or two, and this is simply giving a guaranty for six years of \$60,000 in freight, which would be less than the Government freight actually would be.

Mr. JOHNSON of Kentucky. It seems to me that there is no real difference between the way I see the bill and the way the gentleman from Tennessee [Mr. PADGETT] sees it, and that is the Government is to pay for the road and then it is to take it up in freight.

Mr. PADGETT. They have to build the railroad before we furnish a dollar.

Mr. JOHNSON of Kentucky. But at last the Government will have furnished the amount of money with which it has been built, and it is to get warrants with which to pay freight for stuff to be shipped over the railroad. If the Government is to go into a proposition by which it is to accept freight warrants for money advanced, and thereby pay for the building of the railroad, the Government ought to own it.

Mr. PADGETT. Let me say to the gentleman that the construction of the railroad is estimated from here to Indianhead to cost \$1,000,000, in round numbers, and they expect to carry it on to Newport News; but the Government is especially interested to see that it gets to Indianhead, the powder factory, and the proving grounds. This bill provides only that he shall enter into a contract agreeing to take freight for six years to the amount of \$60,000 a year, payable in half-yearly payments of \$30,000.

Mr. JOHNSON of Kentucky. And it does so whether they use that amount or not.

Mr. PADGETT. After the road is in operation and when we know the freight will be more than \$60,000 a year. The

only thing is that it gives an assurance that they will have freight from a responsible shipper amounting to \$60,000 a year, and that would be 6 per cent upon their bonded indebtedness.

Mr. JOHNSON of Kentucky. The proposition of the gentleman is to subsidize this railroad in advance, by agreeing to pay so much money a year, whether it ships that much freight over it or not. I will say to the gentleman that until some provision has been made in the bill designating the point from which it shall start, and authorizing the route over which it shall be constructed, and making provision for the payment of damages done to property by which it will pass, I shall object and continue to object.

I would suggest to the gentleman that a new bill be written, stating where the railroad is to start and setting out the route that it is to travel, and then providing for the payment of such damages as may be done to abutting property.

Mr. BRITTEN. Will the gentleman yield right there?

Mr. JOHNSON of Kentucky. I will.

Mr. BRITTEN. Is not the gentleman arguing from the standpoint that the Government is especially interested in this road, when in fact it is not intended to have—

Mr. JOHNSON of Kentucky. For the sake of argument I will concede that, but I do not concede it really.

Mr. BRITTEN. The gentleman also understands that the practical value of this road is within the Government's jurisdiction and lies in the fact that we will get a railroad from here to Newport News eventually?

Mr. JOHNSON of Kentucky. That, of course, is part of the scheme.

Mr. BRITTEN. What difference does it make where the railroad starts from and where it runs to, just so it goes down here to Indianhead and gives the Government first-class railroad facilities, which it does not have now?

Mr. JOHNSON of Kentucky. Would the gentleman like to see it start out here in front of the Capitol?

Mr. BRITTEN. The gentleman knows that is not likely.

Mr. JOHNSON of Kentucky. Of course I know that; but this bill gives it the right to start from some other point equally as objectionable. That is one of the objections to the bill.

Mr. PADGETT. Mr. Speaker, in view of the statement that the gentleman intends to object, I ask that the bill be passed over without prejudice and go to the foot of the calendar.

Mr. JOHNSON of Kentucky. I object to that, and shall continue to object until a bill embodying the suggestions I have just made be brought in.

Mr. PADGETT. I ask that it be passed to the foot of the calendar.

Mr. JOHNSON of Kentucky. I object.

The SPEAKER. The gentleman from Kentucky objects, and the bill is stricken from the calendar.

AMENDING SECTION 1570, REVISED STATUTES.

The next business in order on the Calendar for Unanimous Consent was the bill (S. 3130) to amend section 1570 of the Revised Statutes of the United States.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, as I understand from the report on this bill it seeks to allow the Secretary of the Navy to assign marines on our battleships—

Mr. PADGETT. No.

Mr. STAFFORD. To act as firemen.

Mr. PADGETT. No; under present practice and past practice time out of mind marines serve on battleships and other ships alongside of a naval bluejacket. There is a law in existence allowing the payment of 33 cents a day extra to seamen and landsmen, men who are in the Navy, when they are down in the engine room; but there is no provision for allowing that pay to the marines, and, as a matter of fact, marines do serve and have been serving in that capacity.

Mr. STAFFORD. I am aware the purpose of the bill was to pay an additional allowance of 33 cents, that is now paid to seamen while they are performing the work of firemen, to these marines; but nothing was said in the report to show whether there was existing law that allowed the Secretary of the Navy to assign the marines for that character of service.

Mr. PADGETT. They are doing it and have been doing it for years and years, just along with the others. It is not often the marines do it, but they do it from time to time, and this is simply to put the marines on the same basis as the others for the same work.

Mr. STAFFORD. I have no objection.

Mr. FOSS. Will the gentleman yield for a question?

Mr. PADGETT. Yes.

Mr. FOSS. Does this apply simply to those men in the merchant service?

Mr. PADGETT. No; it applies to the whole Navy.

Mr. FOSS. To the Navy?

Mr. PADGETT. Yes, sir.

Mr. FOSS. Whenever we have men on these merchant ships?

Mr. PADGETT. Whenever they are doing that work.

Mr. FOSS. Whenever they are doing that work?

Mr. PADGETT. Yes.

Mr. FOSS. All right.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That section 1570 of the Revised Statutes of the United States be, and it is hereby, amended to read as follows: "Sec. 1570. Every seaman, landsman, or marine who performs the duty of a fireman on board any vessel of war shall be entitled to receive, in addition to his compensation as seaman, landsman, or marine, a compensation at the rate of 33 cents a day for the time he is employed as fireman."

The bill was ordered to be read the third time, was read the third time, and passed.

On motion of Mr. PADGETT, a motion to reconsider the vote by which the bill was passed was laid on the table.

PAY OF RETIRED CHIEF WARRANT OFFICERS ON ACTIVE DUTY.

The next business in order on the Calendar for Unanimous Consent was the bill (S. 3400) to regulate the pay of retired chief warrant officers on active duty.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, this same provision is carried in the general appropriation bill which the gentleman has reported from his committee, is it not?

Mr. PADGETT. Of course the gentleman will recognize that on the appropriation bill it would be subject to the point of order as legislation upon an appropriation bill, and if it passes here I shall strike it out of the appropriation bill.

Mr. WALSH. Would the gentleman prefer to have it passed independently?

Mr. PADGETT. Yes, sir; I would prefer that.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Chairman, will the gentleman make a brief statement as to the purpose of this bill?

Mr. PADGETT. Yes, sir. In the act of August 29, 1916, there was legislation, as shown in the report, providing for the promotion of warrant and chief warrant officers after 6 and 12 years' service in that grade.

These are petty officers that come from the enlisted personnel and occupy a position between the enlisted personnel, the privates or seamen, and the commissioned officers. In interpreting that act the accounting officers of the Treasury held that when a retired officer was reassigned to duty, before he gets the benefit of the act he must have served, after the 29th of August, a time sufficient, added to the time he has served before the 29th of August, to make up the 6 or 12 years. That was not the purpose or the intention, and this legislation is intended to correct that interpretation, so that if he resigns before the 29th that law applies. If he resigned on the 30th, it did not apply under their interpretation, because they held that, being in the service on the 29th and retiring afterwards, he did not have to make up that additional time; but if he had retired on the 28th he would have to serve after the 29th to make up the six years. And this legislation is to correct that interpretation.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 3400) to regulate the pay of retired chief warrant officers on active duty.

Be it enacted, etc., That any retired chief warrant officer who has been on active duty since August 29, 1916, or who may hereafter perform active duty, and whose record is creditable, shall, during such time as he has been or may hereafter be on active duty, and from the time his service on the active list after date of commission, plus his

service on active duty while on the retired list, is equal to six years, receive the pay and allowances that are now or may hereafter be allowed a lieutenant (junior grade), United States Navy; and shall, during such time as he has been, or may hereafter be, on active duty, and from the time such total service is equal to 12 years, receive the pay and allowances that are now, or may hereafter be, allowed a lieutenant, United States Navy.

Also the following committee amendment was read:

Add a new section, as follows:

"SEC. 2. That any retired warrant officer who has performed or may hereafter perform active duty, and whose record is creditable, shall, during such time as he has been or may hereafter be on active duty, and from the time his service on the active list after date of warrant, plus his service on active duty while on the retired list, is equal to 12 years, receive the pay and allowances that are now or may hereafter be allowed a lieutenant (junior grade), United States Navy; and shall, during such time as he has been or may hereafter be on active duty, and from the time such total service is equal to 18 years, receive the pay and allowances that are now or may hereafter be allowed a lieutenant, United States Navy."

Mr. WALSH. Mr. Speaker, I move to strike out the last word. Will the gentleman state what increase the amendment of the House committee will make in the pay?

Mr. PADGETT. It does not make any increase, as I understand it, under existing law. It only applies as to the interpretation, correcting the interpretation that had been made heretofore by the accounting officers of the Treasury in interpreting the act of August 29, 1916.

Mr. WALSH. But section 2, which has been included by the Committee on Naval Affairs, provides for an increase in pay, does it not, over that of existing law?

Mr. PADGETT. You will notice that section 1 applies to retired chief warrant officers. That is one rank. The second section applies to any retired warrant officer, which is the next lower rank, and embraces the warrant officers as well as the chief warrant officers.

Mr. STAFFORD. Will the gentleman from Massachusetts yield?

Mr. WALSH. I yield.

Mr. STAFFORD. I wish to direct the attention of the chairman of the committee to the language as found in the letter of the Secretary of the Navy of date of January 25, which shows that the section to which the gentleman from Massachusetts is now directing attention does increase the salaries of those carried in section 2 of the bill.

Mr. PADGETT. The only increase is in the last provision there, where the chief-warrant officer has served 18 years.

Mr. STAFFORD. The gentleman from Massachusetts is directing his inquiry as to whether there was any increase of salary under existing law provided by the committee amendment.

Mr. PADGETT. It makes that new grade of from 12 to 18 years.

Mr. WALSH. Now, what increase is provided by that?

Mr. PADGETT. It would give the increase of the pay from a lieutenant junior grade to a lieutenant, if he had served that additional six years in the grade.

Mr. WALSH. Well, can the gentleman give me any idea or estimate in dollars and cents as to what that increase would be for this warrant officer?

Mr. PADGETT. My recollection is that a lieutenant of the junior grade—although I do not remember; it is set out in the pay tables—is in the neighborhood of \$2,100 or \$2,200. And a lieutenant would run up to about \$2,500, if I remember the figures correctly. I have not looked at them.

Mr. WALSH. That is the pay without the allowances?

Mr. PADGETT. Yes. There are some allowances in addition.

Mr. WALSH. In addition to that?

Mr. PADGETT. Yes, sir.

Mr. WALSH. I withdraw the pro forma amendment.

The SPEAKER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. PADGETT a motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended so as to read: "An act to regulate the pay of retired chief warrant officers and warrant officers on active duty."

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. Young, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 9571. An act to authorize the appointment of officers of the Philippine Scouts as officers in the militia or other locally created armed forces of the Philippine Islands drafted into the service of the United States, and for other purposes; and

H. R. 9903. An act to provide for restoration to their former grades of enlisted men discharged to accept commissions, and for other purposes.

MANNER OF REPORTING CASUALTIES.

Mr. MASON. Mr. Speaker, I ask unanimous consent for two minutes to make a statement as to the manner of reporting casualties. This is a letter from a constituent—

The SPEAKER. The gentleman from Illinois asks unanimous consent for two minutes. Is there objection?

There was no objection.

Mr. MASON. The letter is from Mr. Gustavus E. Miller, who says:

CHICAGO, March 16, 1918.

Congressman WILLIAM E. MASON,
Washington, D. C.

DEAR SIR: I wish to enter a protest against the present method of reporting casualties from the front, and as reason for my complaint give this concrete instance:

I have a son now in France, Sergt. Royal E. Miller, and by the enclosed newspaper clipping you will note reported as killed "Sergt. Leroy W. Miller." I have up to this time, 8.30 a. m. of the day the paper was published, had at least a dozen anxious personal inquiries and numerous telephone calls from friends asking whether it was my son. Two of these were from his aunts, whose families are very much upset and worried about him, and my wife.

I heartily agree with the contention that some method more definite should be initiated whereby identification would be more positive, and I, as one of your constituents, and for those who are in the same position, ask you to use your influence to obtain a change in the present almost cruel method of reporting casualties.

Very truly, yours,

GUSTAVUS E. MILLER,
1211 Addison Street.

The answer to this, as a rule, is that they telegraph to the parents when one of our soldiers is killed or wounded, but that does not cover this particular sort of a case. You will see in the list of casualties frequently almost the same name, and it is almost an absolute impossibility for them to tell. It will not do to say that they telegraph the parents. They can not telegraph the parents who have children having the same military title, like sergeant or lieutenant, and names almost similar, and in some instances exactly the same. I am simply asking that this go into the RECORD for the purpose of calling attention to the fact that their present method is not satisfactory to the people. If they would simply insert after "Sergt. Leroy W. Miller" the words giving company and regiment and address it would be of benefit. It would save great anxiety and suspense which our people suffer.

Mr. WALSH. Will the gentleman yield?

Mr. MASON. Yes.

Mr. WALSH. Is the gentleman aware that another distinguished legislative body has passed a resolution of inquiry to the department upon the very point that he is making now?

Mr. MASON. Yes. I saw by the paper that the resolution was pending or that an act was pending directing that it be done. And I call attention to this simply to show that the present course of the department is not sufficient, for it does not give notice to the parents whose sons have names identically the same and sometimes occupying the same rank. I expect the present method to be changed, and unless it is I will offer a law to change it.

The SPEAKER. The Clerk will report the next bill.

AGE LIMIT OF NOMINEES TO NAVAL ACADEMY.

The next business on the Calendar for Unanimous Consent was the bill (S. 3402) to fix the age limit for candidates for admission to the United States Naval Academy.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. STAFFORD. I reserve the right to object.

Mr. MILLER of Minnesota. Reserving the right to object, Mr. Speaker, I would like to make an inquiry. Frankly, I do not personally like the idea of making the date fixed on July 1. That has the advantage of being mathematically accurate, and so on, but it seems to me it would be infinitely better to fix the date as of the time they take the examination. Would the gentleman consider an amendment to that effect?

Mr. PADGETT. I will state to the gentleman that under existing law nominations by Members of Congress—that is, Members of the Senate and of the House—that is the law, 20 years as of the date of the time of the examination; but that is of a varying date. Sometimes it is held in February, sometimes in March, and sometimes in April, and a few years ago it was held in June.

Now, under the law authorizing the nominations of young men from the Navy the date is the date of admission, 20 years—admission to the academy—which may be a still later date. This was selected as July 1 simply as a fixed date to make it definite, so that it will be known when the person would be too

old and when he would be too young, and not vary from one date to another. For instance, here are two examinations that are held. There is an examination held, we will say, in February, and a man is 20 years old in February, just the day before the examination. He can not get in. But there is another examination that is held for another fellow that takes the examination in April, and he was 20 years old the next day in April. He can get in when the other man is shut out, and yet the time was two months later. This does not apply to the present year. It does not change the date. It only begins next year, and allows a definite date, so that you will know who will be too old to enter.

Mr. MILLER of Minnesota. As I understand from the report and from the letter of the Secretary of the Navy, the trouble has arisen because men who are to take the examination and secure entrance from the enlisted personnel are laboring under a law which provides that they shall not be over 20 years when they enter the academy, which is a disadvantage to them as compared with those who are operating under a law which says they can enter the academy provided they are only 20 when they take the examination.

Mr. PADGETT. But the examination is ahead of the entrance, and it gives a longer time than for nominees of Members of Congress.

Mr. MILLER of Minnesota. Entrance at the academy is not a uniform date. It varies from year to year, and often in the same year.

Mr. PADGETT. Certainly it does.

Mr. MILLER of Minnesota. For instance, a man can take the examination in February—

Mr. PADGETT. And they enter on different dates, usually in July. But here may come three or four men that enter and take the oath on the 5th day of July, you will say. Here comes some next day, on the 6th, and some on the 10th, and others on the 15th, and some may not enter and take the oath until August.

Mr. MILLER of Minnesota. Of course, the idea is to make it certain that the young man will not have too great an age when he graduates. That is the reason for it?

Mr. PADGETT. Yes; and it removes the necessity for a great deal of correspondence in the department, explaining the time when one gets too old, and why this one was of a certain date, and that one was of a certain date, and others of a certain date. This fixes a definite time and does no injustice to anybody.

Mr. MILLER of Minnesota. I do not think it does an injustice, but it really reduces the opportunity.

Mr. PADGETT. No.

Mr. MILLER of Minnesota. The gentleman will say "yes" in a moment. The time now open to every young man in the country extends up until he is 20, when he takes the examination. Any young man who is not more than 19 years and 364 days old when he takes the examination is entitled to the privilege of doing so.

Mr. PADGETT. He can still go in on the 1st of July, whereas he would be shut off from the examination in February.

Mr. MILLER of Minnesota. That kind of a boy never could take the examination. Only that boy could take the examination who would be 19 years and 364 days old on the 1st day of July, so that you have restricted the opportunity of the young man to that extent.

Mr. PADGETT. It says the 1st day of July of the year in which he enters. He may be 20 years in February. But it extends his time to enter until the 1st day of July.

Mr. MILLER of Minnesota. It seems to me that the idea is to fix and make it certain that the young man shall have only such and such an age when he graduates. This has no reference at all to when he enters the academy. It fixes an arbitrary date of July 1, without reference to when he enters or graduates.

Mr. ALEXANDER. Mr. Speaker, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. ALEXANDER. Is the gentleman correct as to the eligibility depending on the time when he takes the examination? The bill provides that he shall be eligible to admission to the academy until he is 20 years of age, and he is admitted about the middle of June.

Mr. PADGETT. No. The law with reference to nominees of Members of Congress says 20 years at the time of the date of taking the examination, and with respect to nominees from the service it shall be at the date of entry.

Mr. ALEXANDER. All the regulations I have ever seen expressly state that they shall be eligible until they arrive at the age of 20 years, on the date of admission, but—

Mr. PADGETT. They do not say that. The gentleman has overlooked the law.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. COOPER of Wisconsin. Will the gentleman from Tennessee permit me to ask him one question?

Mr. PADGETT. Yes.

Mr. COOPER of Wisconsin. Does not that mean this, and this only, that hereafter all candidates for admission to the Naval Academy shall be not less than 16 nor more than 20 years of age on July 1 of the calendar year in which they enter?

Mr. PADGETT. Yes.

Mr. COOPER of Wisconsin. That makes it perfectly plain.

Mr. RUSSELL. Will the gentleman yield?

Mr. PADGETT. I yield to the gentleman from Missouri.

Mr. RUSSELL. I appreciate the importance of this, realizing that it enlarges the opportunities of boys, and I have an instance of my own. This year I appointed two boys to the Naval Academy. They were 20 years of age in March. I was told that they must take their examinations in February or else they could not take them at all.

Mr. PADGETT. That is true.

Mr. RUSSELL. They had to hasten with their work and take the examination in February in order to be admitted this year. If this act passes, as I think it ought to, they could have taken their examinations in April instead of in February.

Mr. PADGETT. Certainly.

Mr. RUSSELL. So this enlarges the opportunity of a boy and does not take away from anybody the opportunity that he has.

Mr. PADGETT. Not at all.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. STAFFORD. I take issue with the statement of the chairman of the committee [Mr. PADGETT] and also of the gentleman from Missouri [Mr. RUSSELL], that a person who is 20 years of age in February of next year, shortly after the time the examinations are held, can enter the academy if this bill passes. He will not be eligible.

Mr. PADGETT. I differ with the gentleman.

Mr. STAFFORD. This law is restrictive in its character. It provides that the person must be under the age of 20 on July 1 of the year that he enters the academy, while under existing law he may be past his twentieth birthday on July 1 of the year he enters the academy. He only has to be under 20 at the time he takes his examination. Many of us have had instances of candidates who have been obliged to take the February examination in order to qualify, because they would have attained the age of 20 after the February and before the April examination.

While I am in sympathy with the purpose of this bill, which, according to the report, is to permit the enlisted personnel to be admitted into the academy, and also for the further reason, advanced by the chairman of the committee, in order to have definiteness and to save the department from making a great many replies to inquiries, I think many of us would be plagued if this law passed in its present form, because it would exclude many candidates whom we have in mind, and to whom we have offered the nomination, who would not be 20 at the time of the February examination but who would be 20 between February and July 1. We ought to protect those candidates, of whom there may be several—boys who have been preparing, perhaps, for years in anticipation of the requirements of the existing law—so that they may be able to take the examination next year, because they will not have reached the age of 20 at the time of the February examination, but if this law passes they will be barred.

Mr. PADGETT. This does not apply to this year at all.

Mr. STAFFORD. I know; but I am talking about next year. It does not apply to this year. The April examinations for this year will be held within a month. There must be instances, which many Members of the House have in mind, of candidates who will become 20 years of age before July 1 next year, who will not reach that age before the February or April examinations. I do not think any member of the Naval Affairs Committee wants to prevent these young men from taking that examination.

Mr. PADGETT. The very purpose of this bill is to admit those men up to the 1st of July.

Mr. STAFFORD. But the bill says—

That hereafter all candidates for admission to the Naval Academy must be between the ages of 16 and 20 years on July 1 of the calendar year in which they enter the academy.

Those candidates who become 20 years of age after the February examination and before July 1 would not be eligible to appointment under that language. They would be 20 years before July 1, and therefore would be excluded.

Mr. PADGETT. It would let them in. The very purpose of it is to extend the time, so that the man who becomes 20 years of age before the examination can have up until July 1 to get in.

Mr. STAFFORD. The language I read says he can not be 20 years of age on July 1 of the year in which he enters the academy.

Mr. HASTINGS. Will the gentleman yield?

Mr. PADGETT. I yield to the gentleman from Oklahoma.

Mr. HASTINGS. Suppose a candidate becomes 20 years of age on the 1st of May next year, can he then enter?

Mr. PADGETT. He can enter, and can enter up until the 1st day of July.

Mr. HASTINGS. On the 1st of July he would be over 20 years of age.

Mr. PADGETT. I will say that it would not interfere at all with this young man's entrance. It would extend the time.

Mr. MONDELL. A young man whom I know will take his examination in April. He becomes 20 on the 1st of May of this year. He can now enter the Academy, because his examination comes a few days before his birthday.

Mr. PADGETT. Yes.

Mr. MONDELL. But if this bill were a law, he would be 20 before the 1st of July, and he could not enter the Academy.

Mr. PADGETT. No; the gentleman is mistaken.

Mr. MONDELL. The committee have evidently meant well. They have intended to extend the time, but as a matter of fact they have limited it.

Mr. PADGETT. No; the gentleman is mistaken in his interpretation.

Mr. MONDELL. The way to extend the time would be to make it the 1st of January instead of the 1st of July. Then you would get back of the examinations, and all those who were less than 20 at the time of the examinations could enter.

Mr. PADGETT. If you should make it apply to January 1, 1918, you would cut them out. That is, the boy who did not become 20 until May, 1918, would be cut out.

Mr. MONDELL. January of the year that he enters the Academy.

Mr. PADGETT. If he became 20 by that time he would be cut out. It would cut out the boy who became 20 in May.

Mr. MONDELL. The gentleman's bill certainly restricts the time.

Mr. PADGETT. No; it enlarges it. It has been gone over by the department, and that is their construction.

Mr. HAMLIN. Let me call the attention of the gentleman from Tennessee to the language. At first I thought the gentleman was right, but now I think not. The bill provides—

That hereafter all candidates for admission to the Naval Academy must be between the ages of 16 and 20 years on July 1 of the calendar year in which they enter the Academy.

They must be between the ages of 16 and 20 up to the 1st day of July. If a boy is 20 years old on the 30th day of June he is not eligible.

Mr. RUSSELL. Let me ask the gentleman a question. If he is of age on the 1st of May—

Mr. PADGETT. The gentleman means 20 years of age.

Mr. RUSSELL. Yes. The act says he must be between the ages of 16 and 20 years of age on the 1st of July. Now, if he is 20 years of age on the 1st of May, is he between the ages of 16 and 20 on the 1st of July?

Mr. HAMLIN. No; he is not.

Mr. PADGETT. I will ask, Mr. Speaker, to pass over this bill, and I will get an official interpretation of this language to satisfy Members.

The SPEAKER. The gentleman from Tennessee asks to pass over the bill without prejudice. Is there objection?

There was no objection.

DISPOSITION OF EFFECTS OF DECEASED PERSONS IN NAVAL SERVICE.

The next business on the Calendar for Unanimous Consent was the bill S. 3129, an act to provide for the disposition of the effects of deceased persons in the naval service.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, I wish to direct the attention of the chairman of the committee to the last proviso:

Provided further, That claims may be presented hereunder at any time within five years after such moneys or proceeds have been so deposited in the Treasury, and, when supported by competent proof in any case after such deposit in the Treasury, shall be certified to Congress for consideration.

Mr. PADGETT. In other words, it requires for Congress the right to pass on taking the money out of the Treasury and not

allowing it to be paid out of the Treasury on the warrant of a subordinate officer.

Mr. STAFFORD. One pest that we suffer here from time to time is in the consideration of private claims of this character.

Mr. PADGETT. The proviso is now existing law.

Mr. STAFFORD. I believe it would be well if we could dispense with some of the private bills and have them referred to the Court of Claims. I have drafted an amendment, although I do not wish to press it, but I am going to ask, if the gentleman will permit me, to read the amendment, so that the gentleman may consider it and have the bill passed over without prejudice. The purpose of the amendment is to have all these claims submitted directly to the Court of Claims and have a report by the court to Congress, and then have the claims paid without any formal action by Congress, except to appropriate the money. My amendment is as follows:

Strike out the last proviso and insert the following:
"Provided further, That at any time within five years after such moneys or proceeds have been so deposited in the Treasury any heir at law of such deceased person within two degrees of relationship, or of any next of kin on behalf of such relatives, may present a claim for such principal amount so deposited in the Treasury, and upon proper proof submitted to the Secretary of the Navy shall be referred to the Court of Claims for adjudication, and the amount found due by said court shall be certified to Congress for payment."

Mr. PADGETT. I think the gentleman from Wisconsin makes a mistake in limiting it to two degrees. That would be too close. I think, as provided here, that his next of kin ought to get it. Congress is not confiscating it; Congress is not taking it. The only change we make under existing law is this.

Mr. STAFFORD. I do not wish to have Congress troubled with little claims presented in the form of private bills. They will be small in amount, and why not allow the Secretary of the Navy to refer them to the Court of Claims and the Court of Claims find the facts and certify the judgment to Congress, and then we pass the necessary appropriation?

Mr. PADGETT. I do not think there is any objection to referring them to the Court of Claims, but I do object to limiting it to within two degrees.

Mr. STAFFORD. I am not a stickler for two degrees, but my thought was that I did not want claim agents, when they learn that some person had some effects that were sold by the Navy Department and the money turned over to the Treasury, to go scurrying around over the country to find distant relatives and say to them, "If you will allow me 50 per cent of the amount, I will recover it for you."

Mr. PADGETT. I think that would be a worse policy to pursue than to leave it as it is now. The Secretary of the Navy takes it up and certifies to Congress that this sailor left such effects and that they were sold and the proceeds covered into the Treasury because they did not know the next of kin. But they know it now, and it belongs to A, B, C, and so forth.

Mr. STAFFORD. Then it would require a private bill.

Mr. PADGETT. No; it is put into the sundry civil bill.

Mr. STAFFORD. I think the gentleman is in error in that. Will the gentleman let the matter go over until we can ascertain whether under existing law when the Secretary of the Navy certifies a matter of that kind it is included in usual course in one of the appropriation bills?

Mr. PADGETT. Yes.

Mr. MONDELL. Possibly the gentleman's attention has not been called to the fact that these certified claims ordinarily go on the sundry civil bill and are accepted.

Mr. STAFFORD. I was making an inquiry whether they took that course.

Mr. PADGETT. They do.

Mr. MONDELL. That is the practice.

Mr. STAFFORD. If that is the case, there is no need of the amendment that I have proposed.

Mr. MONDELL. That is a better practice than to allow attorneys to build up a practice of that kind in the Court of Claims.

Mr. STAFFORD. I quite agree with the gentleman, but I was under the impression from reading the bill that it would require a private bill, and I wished to relieve Congress of that trouble. Upon the statement of the gentleman from Wyoming and the gentleman from Tennessee, Mr. Speaker, I will not press my amendment or oppose the consideration of the bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That hereafter all moneys, articles of value, papers, keepsakes, and other similar effects belonging to deceased persons in the naval service, not claimed by their legal heirs or next of kin, shall be deposited in safe custody, and if any such moneys, articles of value, papers, keepsakes, or other similar effects so deposited have

been, or shall hereafter be, unclaimed for a period of two years from the date of the death of such person, such articles and effects shall be sold and the proceeds thereof, together with the moneys above mentioned, shall be deposited in the Treasury to the credit of the Navy pension fund: *Provided*, That the Secretary of the Navy is hereby authorized and directed to make diligent inquiry in every instance after the death of such person to ascertain the whereabouts of his heirs or next of kin, and to prescribe such regulations as may be necessary to carry out the foregoing provisions: *Provided further*, That claims may be presented hereunder at any time within five years after such moneys or proceeds have been so deposited in the Treasury, and, when supported by competent proof in any case after such deposit in the Treasury, shall be certified to Congress for consideration.

The SPEAKER pro tempore (Mr. HAMLIN). The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. PADGETT, a motion to reconsider the vote whereby the bill was passed was laid on the table.

COURSE OF INSTRUCTION AT NAVAL ACADEMY.

The next business on the Calendar for Unanimous Consent was the bill (S. 3401) to authorize the President to reduce temporarily the course of instruction at the United States Naval Academy.

The SPEAKER pro tempore. Is there objection?

Mr. TILLMAN. Mr. Speaker, reserving the right to object, will the gentleman yield for a suggestion in connection with this bill?

Mr. PADGETT. Yes.

Mr. TILLMAN. I do not think that what I have to suggest could be incorporated in the bill, but I desire to call attention to it now in order that it may address itself to the authorities at Annapolis. I shall give the details of the case to which my attention has just been called. The authorities at Annapolis may correct the abuse, if their attention is attracted to it in this way, if, indeed, it be an abuse, or correct the apparent injustice, if that is what it should be termed. I nominated recently a very bright young man, Mr. C. D. Garvin, of Harrison, Ark., as a candidate for the Naval Academy at Annapolis. His parents sent him to Marion, Ala., for instruction, at considerable expense. I understand that four is the basis upon which these nominees are graded.

Mr. PADGETT. Yes. Two and a half passes. That is equivalent to 62½ per cent.

Mr. TILLMAN. This young man, on the difficult subjects of geometry and algebra, made almost the requisite number, 4; but he failed to pass on English, obtaining only 1.9. By permission of the academic board he was allowed to take another examination in April. This examination which he took was in February. I called up the Bureau of Navigation and asked if he might not be excused from taking the examination again on geometry and algebra and those subjects on which he passed, but I was told he could not be allowed that privilege. Only two months will have elapsed between the first examination and the next one. In institutions of learning generally, on final examinations, where a student passes a creditable examination and fails on one or two subjects, he is allowed or required to take a further examination only on those subjects. It occurred to me that it is a hardship upon this young man who made excellent grades, passing on all subjects save one, and failing only on this one, English, to be compelled to go back again to Marion, which he is doing, and prepare again for examination on all these subjects. Why should he not be allowed to take the examination on English alone?

Mr. PADGETT. I do not know. That is a question that is arranged by the academic board.

Mr. TILLMAN. I understand so, but I thought perhaps it might be proper to direct attention to it here.

Mr. PADGETT. It would not be germane on this bill, and under the existing law these questions are governed by the academic board.

Mr. TILLMAN. I am of the opinion that the gentleman is correct; but does it not occur to the gentleman that it would be fair to require this young man, only two months after his first examination, to pass only on the subject of English, upon which he failed?

Mr. PADGETT. I confess to the gentleman that I can not understand it. I had a case of that kind once myself.

Mr. BRITTEN. Mr. Speaker, will the gentleman yield?

Mr. TILLMAN. Yes.

Mr. BRITTEN. Has the gentleman requested the academic board at Annapolis to grant another examination?

Mr. TILLMAN. Oh, I have obtained that concession and have appointed him again, but what I am complaining of is that he must again pass on these same subjects that he passed on just two months ago. Does it not occur to the gentleman from Illinois that such requirement is unfair to the young man?

Mr. BRITTEN. Yes; I think the academic board might well permit a reexamination on English alone.

Mr. TILLMAN. But they have declined to do so.

Mr. PADGETT. I do not think the gentleman will have much trouble when it comes to the ultimate fact.

Mr. CRAMTON. Reserving the right to object, Mr. Speaker; I desire to state that I have had a case so similar to the one stated by the gentleman from Arkansas that it sounded like my own.

Mr. PADGETT. I had one myself just like it.

Mr. CRAMTON. Except in this. Instead of the young man passing 1.9 my boy was 2 in English, and my case has this other feature: The boy enlisted in the service a year ago and has not had opportunity since his appointment, of course, to make preparation that a boy outside the service could make for taking an examination.

Mr. PADGETT. If he had applied, he could have gotten a 90-day furlough.

Mr. CRAMTON. I think they have been very generous in giving him what furlough he asked for.

Mr. PADGETT. They give 90 days' furlough for the purpose of preparing for these examinations.

Mr. CRAMTON. Their regulations are not always binding as to the 2½ per cent minimum, and it seems to me at this time, when we are all anxious not to have any vacancies at the academy, they might very well, if a man stands up well in mathematical subjects, be a little lenient in the matter of English.

Mr. PADGETT. I think in cases of that kind English and subjects of that kind that are continuing subjects in the course of study the board always allows a reexamination.

The SPEAKER pro tempore. Is there objection?

Mr. FOSS. Mr. Speaker, reserving the right to object, I desire to ask a question. I notice that the bill has been amended by striking out the words "during the continuance of the present war" and inserting in lieu thereof the words "until August 1, 1921."

Mr. PADGETT. Yes; that was done at the suggestion of the superintendent and also of the Chief of the Bureau of Navigation, and for this reason, as explained in the report: The duration of the war is an uncertain thing. It may end any time or it may not. They have no definite standard to which to work. They do not know whether to prepare the studies of these young men for a three or a four year course. It is dependent on that uncertain duration, and if a definite time is fixed they can then launch their studies and their plans and courses of instruction to make it a three-year course during a definite time.

Mr. FOSS. I think it is very unfortunate we have to reduce the length of the course at Annapolis to three years. It should be four years, but, of course, the war has made that necessary—

Mr. PADGETT. Yes.

Mr. FOSS. But there is no intention, as I understand it, on the part of the department to reduce the course permanently?

Mr. PADGETT. The Secretary of the Navy and our committee, I think, are as heartily opposed to that as the gentleman is, but we recognized the emergency that was existing at this time.

Mr. BRITTEN. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. BRITTEN. I would like to suggest to my colleague from Illinois that it is not the intention of the authorities at Annapolis or the Navy Department to eliminate anything from the studies. The studies will be made more intensive and the vacation time will be very largely eliminated, so that what is usually accomplished in four years will now be accomplished under this intensive system in three years.

Mr. PADGETT. To some extent.

Mr. BRITTEN. To a very large degree.

Mr. PADGETT. To a large degree; yes.

Mr. FOSS. I will say to the gentleman of course there is a natural desire—

Mr. PADGETT. There is no purpose to make the three years permanent, and I do not think it ought to be. I think it ought to be four years.

Mr. FOSS. I hope we will stick to that. I know there is a natural desire on the part of young men to get commissions early, and perhaps many of them would like to reduce the course. We used to have a six-year course at the Naval Academy—four years at the Naval Academy and two years at sea—before the midshipman graduated received his commission. Then, we cut out the two-year sea course, until now we have got it down to a four-year course.

Mr. PADGETT. Yes; that is changed. At one time, where the gentleman mentions about it being six years, there were

two years in the school, two years at sea, and then two years back in the school, and then graduation, and lately it was changed to four years in the school and two years at sea and graduation was upon the four years' course in school.

Mr. FOSS. The commission, however, was not given until the end of the six years—until after the extra two years at sea.

Mr. PADGETT. The commission, but not the graduation. There is no purpose to make this permanent.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized, during the continuance of the present war, to reduce temporarily, in his discretion, the course of instruction at the United States Naval Academy from four to three years and to graduate classes which have completed such reduced courses of instruction.

The committee amendments were read, as follows:

In lines 3 and 4, strike out "during the continuance of the present war" and insert in lieu thereof the following: "until August 1, 1921." Line 4, strike out the word "temporarily."

The question was taken, and the amendments were agreed to. The bill as amended was ordered to be read the third time, was read the third time, and passed.

On motion of Mr. PADGETT, a motion to reconsider the vote by which the bill was passed was laid on the table.

TO DROP FROM THE ROLLS CERTAIN NAVAL AND MARINE CORPS OFFICERS.

The next business in order on the Calendar for Unanimous Consent was the bill (S. 3404) to authorize the President to drop from the rolls any naval or Marine Corps officer absent without leave for three months, or who has been convicted of any offense by the civil authorities, and prohibiting such officer's reappointment.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. MONDELL. Mr. Speaker, reserving the right to object, I take it for granted that the committee has considered the danger that would arise under this sort of legislation in time of war to drop from the roll a man who was taken prisoner and that was lost sight of and was unable to communicate his whereabouts. Do such occasions arise occasionally?

Mr. PADGETT. I do not think it is intended for war purposes.

Mr. MONDELL. But there are prisoners of war.

Mr. PADGETT. There is a war going on, but I do not think the gentleman would find any abuse of it along that line.

Mr. MONDELL. How is that?

Mr. PADGETT. I do not think there would be any abuse of the statute along that line.

Mr. MONDELL. I realize that they would have no intention of abusing it.

Mr. PADGETT. Under existing law that same language exists. Section 1229 of the Revised Statutes reads as follows—

Mr. MONDELL. With regard to the land forces?

Mr. PADGETT. Yes; in regard to the land forces, and this just makes it the same in reference to the Navy. The first part of it is this: Under existing law if a man is absent and loses service because of sickness brought on by his own misconduct—officer or enlisted man—they do not receive their pay for the time that they lose on account of sickness brought on by their own misconduct; but if his misconduct produces an injury that incapacitates him and he loses his time, the accounting officers of the Treasury have held that he does not lose his pay; that there is a difference between injury and sickness, and a fellow who by his misconduct injured himself physically and was absent from duty would continue to get his pay, while if the same misconduct simply made him sick he would not get his pay, and this is just inserting the word "injury," so as to make it apply both to injury and sickness alike.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the President is hereby authorized to drop from the rolls of the Navy or Marine Corps any officer thereof who is absent from duty without leave for a period of three months or more, or who, having been found guilty by the civil authorities of any offense, is finally sentenced to confinement in a State or Federal penitentiary: *Provided,* That no officer so dropped shall be eligible for reappointment.

The bill was ordered to be read the third time, was read the third time, and passed.

The title was amended so as to read: "An act to authorize the President to drop from the rolls any naval or Marine Corps officer absent without leave for three months, or who has been convicted of any offense punishable by confinement in the peni-

tentiary by the civil authorities, and prohibiting such officer's reappointment."

On motion of Mr. PADGETT, a motion to reconsider the vote by which the bill was passed was laid on the table.

PUBLIC QUARTERS FOR OFFICERS OF THE NAVY AND MARINE CORPS.

Mr. PADGETT. Mr. Speaker, I want to ask the gentleman from Massachusetts [Mr. WALSH], who objected to the first bill I called up (H. R. 3406) to authorize the Secretary of the Navy to determine with reference to quarters, if he will not withdraw the objection. It is just simply the same legislation that now gives the authority to the Secretary of War. Conditions arise where it is very important that the Secretary should have that authority to determine that question for the efficiency of the service, and I would like to ask the gentleman if he is not willing to withdraw his objection and let us return to that bill.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. PADGETT] asks unanimous consent to return to the bill (S. 3406), and that the same may be considered at this time. Is there objection?

Mr. WALSH. Mr. Speaker, I do not care to withdraw my objection at the present time. This matter will come up again within a week or 10 days.

Mr. PADGETT. Mr. Speaker, may I ask if it went off the calendar or is at the foot of the calendar?

The SPEAKER pro tempore. It went off the calendar.

Mr. PADGETT. I will ask the gentleman if he will object to its going to the foot of the calendar.

Mr. WALSH. I will not object to its going to the foot of the calendar.

Mr. PADGETT. I ask that the order striking the bill from the calendar be rescinded and that the bill be restored to the calendar, to go to the foot of the calendar.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent that the order striking the bill from the calendar be rescinded, and that the bill go to the foot of the calendar. Is there objection?

Mr. MONDELL. Mr. Speaker, reserving the right to object, I have no objection to the bill. I have no doubt that it is an excellent measure, and I certainly will not object to it. The gentleman from Massachusetts [Mr. WALSH] seems to think that there are some objections to it; but I should have to object to this request, because it is a bad practice. Gentlemen are likely to leave the Hall with the understanding that a bill has been stricken from the calendar, and then later during the same session some one makes this request for different action, and then if that is granted the Member who objected would be surprised to learn that in his absence the bill was again placed on the calendar.

Mr. PADGETT. Mr. Speaker, I will not renew the request to-day for its consideration. Let it go over until the next calendar day.

Mr. MONDELL. I think the House acting on these bills one at a time, that is notice to all then present as to the status of a measure during that day of consideration. I do not think it is wise or good practice to change that situation.

Mr. STAFFORD. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. STAFFORD. The customary practice, as the gentleman knows, is that where a bill is objected to and the request is made that it take its place at the foot of the calendar, it is not to be again considered the same day.

Mr. PADGETT. It will not be considered the same day.

Mr. STAFFORD. When the request is made to consider it the same day, that request is to pass it over temporarily. This request is to retain it on the calendar under existing practice, not to be considered to-day.

Mr. MONDELL. This bill has not heretofore been stricken from the calendar?

Mr. PADGETT. No, sir.

Mr. MONDELL. In that event it can be restored to the calendar, and the very object which the gentleman desires by his request can be accomplished in another way.

Mr. PADGETT. That is true.

Mr. MONDELL. I think that is better practice, because otherwise gentlemen may leave the Chamber with the idea that the status of a bill has been established by their objection, only later on to learn that another arrangement has been made.

The SPEAKER pro tempore. Is there objection?

Mr. MONDELL. I object.

ISSUE OF BONDS, SEWARD, ALASKA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9832) to authorize the incorporated town of Seward, Alaska, to issue bonds in any sum not exceeding \$25,000

for the purpose of constructing dikes, flumes, and other works to confine the waters of Lowell Creek for the protection of said town.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I wish to inquire of the chairman of the committee having the bill in charge whether there is any present bonded indebtedness of the city of Seward?

Mr. SULZER. There is not any present bonded indebtedness, and none can be authorized except by act of Congress.

Mr. STAFFORD. I am aware of that. I was wondering if we had previously made any authorization to the city of Seward.

Mr. SULZER. Not to Seward, but there was one made to Valdez a few years ago which was not availed of, and one to the city of Juneau for school purposes.

Mr. STAFFORD. One further inquiry about the bill. The interest rate is 8 per cent—that is, not to exceed 8 per cent—and I wish to inquire if that figure is absolutely necessary in order to float the bonds of this municipality?

Mr. SULZER. The money is expected to be provided by the citizens of Seward themselves, and they feel it wise to have the rate not to exceed 8 per cent, to be left to the judgment of the city council.

Mr. STAFFORD. What is the prevailing rate of interest at Seward on first-class mortgage loans?

Mr. SULZER. Well, I think it is probably between 8 and 10 per cent.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. STAFFORD. Mr. Speaker, I withdraw the objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 9832) to authorize the incorporated town of Seward, Alaska, to issue bonds in any sum not exceeding \$25,000 for the purpose of constructing dikes, flumes, and other works to confine the waters of Lowell Creek for the protection of said town.

Be it enacted, etc., That the incorporated town of Seward, Alaska, is hereby authorized and empowered to issue bonds in any sum not exceeding \$25,000 for the purpose of constructing dikes, flumes, and other protection to confine the waters of Lowell Creek, and to keep said waters from running over and upon the town of Seward.

Before said bonds shall be issued a special election shall be ordered by the common council of the town of Seward, at which election the question of whether such bonds shall be issued shall be submitted to the qualified electors of said town of Seward whose names appear on the last assessment roll of said town for municipal taxation. Thirty days' notice of any such election shall be given by publication thereof in a newspaper printed and published and of general circulation in said town before the day fixed for such election.

The registration for such election, the manner of conducting the same, and the canvass of the returns of said election shall be, as near as practicable, in accordance with the requirements of law in general or special elections in said municipality, and said bonds shall be issued only upon the condition that a majority of the votes cast at such election in said town shall be in favor of issuing said bonds.

The bonds above specified, when authorized to be issued as hereinbefore provided, shall bear interest at a rate not to exceed 8 per cent per annum, payable semiannually, and shall not be sold for less than their par value with accrued interest, and shall be in denominations not exceeding \$1,000 each, the principal to be due in 20 years from date thereof: *Provided, however,* That the common council of said town of Seward may reserve the right to pay off such bonds in their numerical order at the rate of \$5,000 thereof per annum from and after the expiration of five years from their date. Principal and interest shall be payable in lawful money of the United States of America at the office of the town treasurer, or at such bank in the city of New York, in the State of New York, or such place as may be designated by the common council of the town of Seward, the place of payment to be mentioned in the bonds: *And provided further,* That each and every bond shall have the written signature of the mayor and clerk of said town of Seward and also bear the seal of said town.

No part of the funds arising from the sale of said bonds shall be used for any purpose other than specified in this act. Said bonds shall be sold only in such amounts as the common council shall direct, and the proceeds thereof shall be disbursed under the limitations hereinbefore imposed and under the order and direction of said common council, from time to time, as the same may be required for the purposes aforesaid.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

Mr. NORTON. Mr. Speaker, may I make an inquiry of the gentleman in charge of the bill?

Mr. HOUSTON. Yes.

Mr. NORTON. What is the assessed value of the property of the city of Seward, Alaska, on which bonds could be issued?

Mr. HOUSTON. We have not the assessed value of the property, but it has no bond issue at present.

Mr. NORTON. This would exceed the 2 per cent limit allowed by the law?

Mr. SULZER. It would not exceed it; but I will say to the gentleman that the 2 per cent at the present time hardly covers the annual expenses of the city. There is no way in which they could acquire a sufficient amount of money to bring about this

improvement under the 2 per cent taxation. They have been expending several thousand dollars per annum for some length of time in the endeavor to control this stream, which last fall destroyed about \$25,000 worth of property in the city, but they are unable to expend a sufficient amount of money to properly control the stream, and that is the reason why they ask for the privilege of floating these bonds, to raise the money to properly construct the dikes and other works necessary to protect the city.

Mr. NORTON. Under the charter granted to the Territory of Alaska is a municipality permitted to issue bonds?

Mr. SULZER. No.

Mr. NORTON. No bonds at all?

Mr. SULZER. No bonds whatever.

Mr. NORTON. Does this bill provide that taxes shall be levied for refunding this amount, as is usual in the refunding of bonds?

Mr. SULZER. No. It does not provide for that, because taxation is limited by the organic act to 2 per cent.

Mr. NORTON. There is no provision, then, in legislation for the refunding of these bonds?

Mr. SULZER. Well, they can be repaid out of taxation. The bonds extend for a period of 20 years, and during that period of time the money can be obtained to pay them.

Mr. NORTON. Well, it is usual in the States, when bonds are issued, for provision to be made at the same time for their payment, by the levy of a tax over a series of years to create a repayment fund.

Mr. SULZER. Well, I will say to the gentleman that this bill is practically identical with former bills of this kind that have been passed by Congress authorizing the city of Valdez to construct a dike and the city of Juneau to construct a school building and issue bonds for \$75,000. That was passed by the last Congress. I do not think there is any danger that the money will not be provided at the proper time to repay these bonds.

Mr. NORTON. I will say to the chairman of the committee that it seems to me that in legislation of this kind it is very wise to provide the method for the repayment of the bonds by a tax levy.

Mr. HOUSTON. That would depend upon the credit of the municipality. If they can float these bonds there will be no trouble on the score the gentleman speaks of, because it is expected that by the increase in value and improvement of property resulting by reason of this act they will be able to raise money by 2 per cent taxation to meet this indebtedness.

Mr. NORTON. To create a fund to pay it?

Mr. HOUSTON. Yes; to create a fund to pay it. The same thing was done in the case of the two municipalities mentioned by the Delegate from Alaska [Mr. SULZER].

Mr. MOORE of Pennsylvania. Mr. Speaker, this is a small matter, relatively, but it involves an important question, to which I wish to call the attention of the gentleman. Could the \$25,000 be raised in the vicinity of Seward, Alaska?

Mr. HOUSTON. Do you mean could these bonds be floated among parties there?

Mr. MOORE of Pennsylvania. Yes.

Mr. HOUSTON. It is so expected by the friends and advocates of the measure.

Mr. MOORE of Pennsylvania. I observe that the principal and interest is to be paid in lawful money at the office of the town treasurer, or at such bank in the city of New York, in the State of New York, or such place as may be designated by the common council of the town of Seward. For what reason is "New York" inserted there?

Mr. HOUSTON. Well, perhaps they have their banking account there and it would be more convenient for them to do it there. I am not able to give a detailed reason for their doing that. They might, perhaps, get the capital from New York, and for that reason it would be more convenient to liquidate the bonds at that point.

Mr. MOORE of Pennsylvania. The only question that might stand in the way of the passage of the bill, I assume, would be whether or not there is a good reason for issuing the bonds. That is to be determined by the people of Seward themselves?

Mr. HOUSTON. Yes, sir.

Mr. MOORE of Pennsylvania. The question of floating bonds is rather an important one at this particular time, and if I were in charge of this bill I would endeavor to have it passed as quickly as possible if there was any expectation of floating those bonds outside of the vicinity of Seward, for this reason: The war-finance corporation bill, which is now in conference, provides for the organization of a capital issues committee, which would have a tremendous influence in the sale of bonds such as these. That matter was under discussion during the

consideration of the war-finance corporation bill. But bonds of this kind would not be floated ordinarily in the city of New York, I assume, without the approval of the capital issues committee. If the bonds could be floated in the vicinity of Seward, or elsewhere up in Alaska, or at Spokane, Wash., where the people are more familiar with Seward than are the people in the East, probably there would be no difficulty. The Constitution would protect their right to issue the bonds. But if the capital issues committee were to disapprove this issue as not being contributory to the purposes of the war it is not likely that the bonds could be floated in the East, notwithstanding the interest rate might be as high as 8 per cent.

Mr. SULZER. Mr. Speaker, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. SULZER. I do not think there is any doubt but that these bonds could be floated right in the city of Seward. That is the opinion we have received from representatives from the city of Seward, including members of the city council, who drew the bill and advocated its passage. We are anxious to have it enacted, not only for the reason the gentleman cites, but also for the reason that there is an election to be held, and that will take a considerable time, and it is desirable to get the matter under way as soon as possible before next fall for fear of a repetition of the disaster which took place in the town of Seward last fall.

Mr. MOORE of Pennsylvania. I have no objection to the bill. I approve of it, but I suggest that it ought to be passed speedily, because if it is not passed before the war-insurance corporation bill goes into effect you will have difficulty in floating the bonds unless they can be floated somewhere in the vicinity of Seward and without rehandling.

Mr. SULZER. I thank the gentleman for his suggestion.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HOUSTON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER pro tempore. The Clerk will report the next bill.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9314) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1919.

TOWN SITE ON FORT HALL RESERVATION, IDAHO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 4910) to authorize the establishment of a town site on the Fort Hall Reservation, Idaho.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. HAMLIN). Is there objection to the present consideration of the bill?

Mr. MOORE of Pennsylvania. May we have the bill read?

The SPEAKER pro tempore. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to set aside and reserve for town-site purposes such tracts of lands within the Fort Hall Indian Reservation, Idaho, as in his opinion may be required for the future public interests, and he may cause the same to be surveyed into suitable lots and blocks and to dedicate the streets and alleys thereof to public uses; and he is hereby authorized to set apart and reserve for school, park, and other public purposes not more than 10 acres in any one town site; and patents shall issue for the lands so set apart and reserved for school, park, and other public purposes to the municipality legally charged with the care and custody of lands donated for such purposes on condition that Indian children shall be permitted to attend the public schools of such towns under the same conditions as white children.

Sec. 2. That the Secretary of the Interior is further authorized to cause the lots within such town sites as may be established hereunder to be appraised and disposed of under such rules and regulations as he may prescribe, and the net proceeds derived therefrom shall be placed in the Treasury of the United States to the credit of the Indians of the Fort Hall Reservation and may be paid to them per capita or expended for their benefit as the Secretary of the Interior may deem for their best interests: *Provided, however,* That any lands disposed of hereunder shall be subject to all the laws of the United States prohibiting the introduction of intoxicants into the Indian country until otherwise provided by Congress.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, I should like to inquire if this is the usual and ordinary way of opening up lands for settlement in that country?

Mr. SMITH of Idaho. It is, when they are Indian lands.

Mr. WALSH. They authorize the establishment of a town site?

Mr. SMITH of Idaho. Yes. The general law applying to town sites on public lands does not apply to Indian reservations.

Mr. WALSH. I have no objection.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. This bill is on the Union Calendar.

Mr. SMITH of Idaho. I ask unanimous consent that this bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Idaho asks unanimous consent that this bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The following committee amendments were read, considered, and agreed to:

Page 1, line 5, strike out the words "such tracts" and insert the words "a tract."

Strike out the word "lands" and insert the word "land."

Page 2, line 1, strike out the word "anyone" and insert the word "such."

Page 2, line 7, strike out the word "towns" and insert the word "town."

Page 2, line 9, strike out the word "sites" and insert the word "site."

Page 2, after the word "and," in line 11, insert the words "any and

all expenses in connection with the survey, appraisalment, and sale of

such town site shall be reimbursed from the sales of town lots, and."

Page 2, line 16, after the word "and," strike out the words "may be

paid to them per capita or expended for their benefit as the Secretary of

the Interior may deem for their best interests" and insert in lieu

thereof the words "shall be subject to appropriation by Congress for

their benefit."

The bill as amended was ordered to be engrossed and read a

third time, and was accordingly read the third time and passed.

Mr. WALSH. Mr. Speaker, I notice by the report that there

is an amendment to the title. Has the title been amended?

The SPEAKER pro tempore. The Clerk informs the Chair

that there is no amendment to the title.

Mr. GARRETT of Tennessee. If the title reads as it does in

the calendar there ought to be an amendment to it.

The SPEAKER pro tempore. The Chair thinks it would be in

order to offer an amendment to the title.

Mr. GARRETT of Tennessee. It should be amended so as to

read "site" instead of "sites."

Mr. STAFFORD. The title is entirely proper, Mr. Speaker.

Mr. GARRETT of Tennessee. The report says that the title

is to be amended.

The SPEAKER pro tempore. The Clerk informs the Chair

that the calendar seems to be wrong, and that the bill is cor-

rect as to the title.

Mr. FRENCH. I think the title has been corrected, but I

ask unanimous consent that it be corrected so as to read as it

is on the print of the bill that we have been considering, which

refers to just one town site.

Mr. GARRETT of Tennessee. Let the gentleman ask unani-

mous consent that the title be amended to conform to the text

of the bill.

Mr. FRENCH. Yes.

The SPEAKER pro tempore. Without objection, the title

will be amended to conform to the title of the bill.

Mr. STAFFORD. There is no necessity for that. The title

of the bill as reported is correct.

Mr. RUSSELL. Perhaps the original bill was not correct.

Mr. STAFFORD. This is the original bill.

The SPEAKER pro tempore. Is there objection to the re-

quest of the gentleman from Idaho that the title be amended to

conform to the text of the bill?

There was no objection.

On motion of Mr. SMITH of Idaho, a motion to reconsider the

vote by which the bill was passed was laid on the table.

INTOXICATING LIQUORS IN THE TERRITORY OF HAWAII.

The next business on the Calendar for Unanimous Consent

was the bill (H. R. 9960) to prohibit the sale, manufacture, and

importation of intoxicating liquors in the Territory of Hawaii

during the period of the war.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, I object.

Mr. HOUSTON. Will the gentleman reserve his objection?

Mr. STAFFORD. No; we have a great number of bills on

the calendar to-day for consideration.

Mr. MONDELL. This is a very important bill. I think the

gentleman ought to give us time to discuss it, at least.

The SPEAKER pro tempore. The gentleman from Wiscon-

sinn objects. The bill will be stricken from the calendar.

PREFERENCE RIGHT OF ENTRY BY CAREY ACT ENTRYMEN.

The next business on the Calendar for Unanimous Consent

was the bill (H. R. 5559) to authorize a preference right of

entry by certain Carey Act entrymen, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in Committee of the Whole.

Mr. STAFFORD. Has the objecting stage been passed? I understood there was no objection to the consideration of the bill.

The SPEAKER pro tempore. The Chair announced that there was no objection to the consideration of the bill.

Mr. STAFFORD. Then before the bill is reported it will have to be considered either in the House or in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Colorado asks that the bill be considered in the House as in Committee of the Whole. Is there objection?

Mr. MOORE of Pennsylvania. Reserving the right to object, the gentleman from Colorado [Mr. TAYLOR] will make an explanation of this bill, will he not?

Mr. TAYLOR of Colorado. Yes.

The SPEAKER pro tempore. Is there objection to considering the bill in the House as in Committee of the Whole?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That in cases where Carey Act projects upon the public lands are not consummated by the States holding same and the lands segregated are restored to the public domain the Secretary of the Interior is authorized, under such general rules and regulations as he may establish, to accord a preference right of entry under the homestead laws for not exceeding 60 days after such restoration to settlers and entrymen who have in good faith entered or purchased such lands from the States and who have established actual residence upon the lands or made substantial and permanent improvements thereupon.

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

That the Secretary of the Interior, when restoring to the public domain lands that have been segregated to a State under section 4 of the act of August 18, 1894, and the acts and resolutions amendatory thereof and supplemental thereto, commonly called the Carey Act, is authorized, in his discretion and under such rules and regulations as he may establish, to allow for not exceeding 90 days to any qualified person a preference right of entry under applicable land laws of any of such lands to which such person had initiated a claim under the State laws, and upon which such person had established actual bona fide residence, or had made substantial and permanent improvements.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. TAYLOR of Colorado. I will.

Mr. MOORE of Pennsylvania. As I understand the bill from the reading, it gives the Secretary of the Interior the right to give a preference for a period of 90 days to certain persons. I assume that those persons are within the State where the land is?

Mr. TAYLOR of Colorado. Oh, yes; they have to be living on the ground itself, or to have put substantial and permanent improvements on their claims. That is the only condition upon which they would get a preference right under this bill.

Mr. MOORE of Pennsylvania. Some of us do not follow the land-law bills as closely as we might, but from a casual reading it occurred to me that the resident of a State being on the ground, and being more familiar with it than a man outside with equal rights, would always have the preference.

Mr. MONDELL. Will the gentleman yield?

Mr. TAYLOR of Colorado. I yield to the gentleman from Wyoming.

Mr. MONDELL. This is the situation: The Carey Act is a law under which the State enters into an agreement with the Federal Government to reclaim certain desert lands. After they are thoroughly reclaimed and the State has made proof of that fact to the Federal Government, the Federal Government transfers the lands to the State and then the State transfers them to the person who reclaims them. But there have been cases where the project of reclaiming desert lands has failed—where the project was of such magnitude and the difficulties so great that the State has been unable to make proof of the reclamation, and in the meantime the settlers have gone on to the land under agreement with the State for this work, made settlement, and put in improvements in some cases of very considerable value. They are there, homestead settlers, with more or less valuable improvements. Now, the project having failed, the Secretary of the Interior restores it to the public domain.

Mr. MOORE of Pennsylvania. Where everybody has a chance to come in.

Mr. MONDELL. Yes; under the general law. The purpose of the bill is to give the right to the hardy pioneer who was

there and had settled with a view of reclaiming, who had made the improvement—give him the right, if he is a qualified homestead settler, to remain on the land on which he is living and which he has improved, rather than to allow some one else, a stranger to the country and the project and the enterprise, to come in and take the land with the improvements that this man has made. No bill ever was presented to Congress more thoroughly justified than this.

Mr. MOORE of Pennsylvania. The preference is to be given to the man already on the land and who has made improvements?

Mr. MONDELL. Yes.

Mr. MOORE of Pennsylvania. And who on the start would have 90 days over any newcomer?

Mr. TAYLOR of Colorado. If Congress does not enact some law of this kind, any stranger or newcomer who can get on a faster horse and beats the rightful owner to the land office or to a United States commissioner can beat him out of his land, his home, and his property. There is no protection of the settler in the present law.

Mr. MOORE of Pennsylvania. I realize that a bona fide settler has some equity there, but it seems to me that where such conditions do not prevail an outsider from any State should be placed in an equal position and have equal rights with the man on the ground.

Mr. MONDELL. That is true as to all the land not actually occupied under the Carey Act where the settler has made improvements. Here is a peculiar situation, and if the gentleman will follow me he will see how unfair the land laws or rulings in some cases are. If this was an ordinary piece of public domain, if it had not been under the Carey Act, any settler who was on the land at the time it became subject to homestead settlement would have 90 days period to file—and, as a matter of fact, he would have six months. But in view of the fact that this settler who may have been there five years and put thousands of dollars into it was a settler when the lands were withdrawn, the fact that he is on the ground with all rights and preferences would give him no preference right at all.

Mr. MOORE of Pennsylvania. He would lose all he put in?

Mr. MONDELL. Yes.

Mr. MOORE of Pennsylvania. But if you start out fresh, every citizen would have a chance to take up that land.

Mr. MONDELL. Yes; that is true of all the land.

The SPEAKER pro tempore. The time of the gentleman from Colorado has expired.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent for five minutes more time.

The SPEAKER pro tempore. The gentleman from Colorado asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. TAYLOR of Colorado. Yes.

Mr. MOORE of Pennsylvania. The preference is for 90 days only and in favor only of the man on the ground who has made improvements. If it was disposed of, he would lose all that he has put into the claim.

Mr. TAYLOR of Colorado. That is it exactly. This bill simply gives the bona fide settler, the rightful occupant of the land, a chance to file on his claim under the United States land laws and protect his property rights as against jumpers—people who have no right to it.

Mr. SHERLEY. If the gentleman will yield, I think the bill ought to have a new title. I think it ought to be entitled "To induce States to fail in their obligations under the Carey Act, and to put back on the Federal Government the burden assumed under the Carey Act."

Mr. MOORE of Pennsylvania. That induces me to ask another question. How far are public moneys expended in the transaction?

Mr. TAYLOR of Colorado. Not a dollar in the world. This bill can not possibly cost the Government anything.

Mr. SMITH of Idaho. The Government gets 25 cents an acre for each acre entered. The money goes to the Federal Government and not from the Federal Government to the State.

Mr. MOORE of Pennsylvania. Then there is nothing to justify the statement of the gentleman from Kentucky?

Mr. SMITH of Idaho. Absolutely not. The gentleman from Kentucky assumes that everything undertaken out there ought to be carried through no matter how physically impossible it may be.

Mr. TAYLOR of Colorado. The fact that some of these Carey Act projects fail does not necessarily mean bad faith. It usually means that the project is bigger than was figured on, or that

the promoters could not get the money to finance it, or that the necessary water is insufficient or impossible to obtain. There are many unavoidable reasons why they fail and leave the people high and dry. I am simply trying by this bill to relieve those unfortunates as much as I can. We want to give them a right at least to file on and hold that dry land if they want to and are willing to go ahead and comply with the United States public-land law and get title to the land under the homestead law or whatever law may be applicable.

Mr. MOORE of Pennsylvania. Does it grow out of irrigation concessions or anything of that kind?

Mr. TAYLOR of Colorado. No; this condition arises out of a failure, for various reasons, by the promoters of the enterprise to comply with the agreement they make with the State, and when the project is abandoned, or collapses, the Secretary of the Interior declares it forfeited and cancels all the rights of the State and the promoters and declares the land open for public entry under the public-land laws just as if it never had been in a Carey Act project and anybody can go and file on it. But I want to prevent anybody from filling on any settler's claim if he wants to hold onto it himself.

Mr. FRENCH. Mr. Speaker, let me call attention to one concrete case, which will perhaps illustrate a good many. Here is a tract of land which was withdrawn under the Carey Act and the State has undertaken its reclamation. The preliminary surveys, water tests, and so on seemed to indicate that, say, 40,000 acres could be reclaimed. The entrymen were permitted to go upon the land in the area withdrawn and make entry. Possibly that land could be fairly successfully farmed by dry farming, though the highest use of the land is not thus obtained. After the reclamation project has been fairly worked out it has developed that instead of having enough water to reclaim 40,000 acres of land there is enough merely to reclaim 30,000 acres of land, and here we have 10,000 acres that is somewhat improved, that is being farmed under the dry-farming method, a very hard method of farming, and to which the State is not able to give patent to the settlers. What are we going to do with these settlers? They can not be taken in under the project for there is not enough water. This is a bill that simply furnishes them relief so that they may acquire title under some land law and continue as dry farmers.

Mr. MOORE of Pennsylvania. If they do not qualify in 90 days, what happens?

Mr. FRENCH. Then that is their fault, and the responsibility, so far as the Government is concerned, is at an end. If they do not qualify, then they lose their rights to make prior entry.

Mr. MOORE of Pennsylvania. They may be ousted after 90 days?

Mr. FRENCH. Yes. Of the 10,000 acres I suggested, part of it will have been entered upon because it is expected that land could be reclaimed. Part of it possibly has not been entered upon at all, because it was quite obvious to the public that it would not be reclaimed, though it is within the withdrawal. This bill takes care of both propositions. It takes care of those lands that have settlers upon them and those lands where there are no settlers, giving the right merely to the settlers, where there are settlers, to have 90 days within which they may act.

Mr. MOORE of Pennsylvania. I want the gentleman to know, and I want all these gentlemen from the West to know, that these settlers have my sympathy. I believe they ought to be given every assistance possible. They have a hard enough time to get along, but they ought to be given no special advantage over newcomers who have a right to go in on the land.

Mr. TAYLOR of Colorado. If the gentleman had the time to read the petition, it would very fully explain it to him.

Mr. FRENCH. May I suggest this to the gentleman from Pennsylvania—

The SPEAKER pro tempore. The time of the gentleman from Colorado has again expired.

Mr. FRENCH. Mr. Speaker, I ask unanimous consent that he be given one minute more.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. FRENCH. Mr. Speaker, I just want to say that the settlers who are on these lands that this amendment will assist with a preference right are possibly from the gentleman's own State and from the other States. They went there at a time when they had an opportunity to enter. They are not necessarily settlers from the State within which the project is located. They have come from the four corners of the country and have settled on this land, and now, having expended money and labor and time in making improvements for necessary buildings, and so on, it seems they should have the right of a few

days within which to make a prior entry when we make the lands available for entry under some other law.

Mr. SHERLEY. Mr. Speaker, I move to strike out the last word. I may be in error, but it seems to me very simple—what is proposed here. As long as these men's rights are dependent on the carrying out of the terms of the Carey Act, just that long they will be pushing the various States and private companies to carry out the obligation they entered into when they got the land under the Carey law. The very moment they are given a preferential right to that land by the passage of this act, then the failure of the State to go along with the project does not necessarily concern them. I make the prophecy now that you will have any number of instances of pressure brought on the Federal Government for the undertaking of irrigation projects by the Federal Government where the States and private companies have fallen down as a result of the legislation to be enacted here to-day.

Mr. FRENCH. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. FRENCH. The settler first of all wants to have his land reclaimed.

Mr. SHERLEY. Of course he does. What I am concerned in is occasionally making people carry out their obligations and not always turning back to the Federal Government to relieve them when they make a bad bargain.

Mr. FRENCH. But here there is nothing turned back to the Federal Government.

Mr. SHERLEY. No; but they are turning back to the Federal Government. You may be quite sure that the bill would not be so strongly advocated if it were turning something back to the Federal Government. They are turning back.

Mr. FRENCH. There is no responsibility turned back to the Federal Government. The lands that can be reclaimed have been reclaimed by the State, and the lands that can not be brought under the ditch are lands that will be affected by this law.

Mr. SHERLEY. Well, the future will prove which of us is correct.

Mr. NORTON. In reference to the statement of the gentleman from Kentucky that nothing would be turned back, take a case of this kind: Take a quarter of section of land that a man has filed upon. If he is permitted under the Carey Act to acquire title to it from the Government he would have to comply with the provisions of the Carey Act in having that land reclaimed, would he not?

Mr. FRENCH. Yes.

Mr. NORTON. If this act were passed that land could be turned back to the Federal Government as not coming under the provisions of the Carey Act, and then the settler upon the land could immediately acquire complete title to the land under the homestead law. There would not be such rigid restriction as under the Carey Act. That is the point.

Mr. FRENCH. What I tried to make clear was this, that the advantage to the settler comes in having his land reclaimed. There is a vast difference between the value of land under dry-farm conditions and land that is under irrigation conditions, and the settler under the Carey Act has poor years until it is reclaimed.

Mr. NORTON. But is it not true the settler is very much interested in acquiring title in fee to the land?

Mr. FRENCH. He would very much prefer to have it with the water.

Mr. SHERLEY. He will get water after he gets this bill through; at least, he will come to Uncle Sam and try to get water. That is the meat of the coconut.

Mr. SMITH of Idaho. Do we understand that the gentleman from Kentucky is opposed to the reclamation of the arid land of the West?

Mr. SHERLEY. I will answer the gentleman. No; I am not opposed to the reclamation of public lands; but I am opposed to inducing people to go out West under false pretenses of reclaiming land that ought not to be reclaimed, and then, when men assume burdens, have them come back here, as they have repeatedly, at the expense of the Public Treasury.

Mr. SMITH of Idaho. It seems to have been intimated—

Mr. SHERLEY. I am not intimating.

Mr. SMITH of Idaho. That the settlers are not assuming any responsibility.

Mr. SHERLEY. I am stating a fact.

Mr. SMITH of Idaho. Absolutely not.

Mr. SHERLEY. In my judgment, the effect of this bill is to take away the incentive on the part of these settlers to force the State and private companies under the Carey Act to carry out the burdens they there assumed.

Mr. SMITH of Idaho. But there are some things which it is impossible to accomplish. If the water is not there, how can they undertake to reclaim the land? And when the land is not reclaimed it must go back to the Federal domain, under the Carey Act.

Mr. SHERLEY. Things are possible in two senses. They are economically possible and they are physically possible. There are a number of things that are not economically possible and therefore are not being done by State or private interests, and they are physically possible, and then they are brought on this floor to be done at the expense of the Public Treasury.

Mr. SMITH of Idaho. Does the gentleman from Kentucky know that on one irrigation project in Idaho we raised last year over \$5,000,000 worth of produce, which is in excess of the entire cost of the reclamation of that project, and yet he stands up here and opposes every piece of legislation—

Mr. SHERLEY. No; the gentleman does not.

Mr. SMITH of Idaho (continuing). Proposed to reclaim the arid lands of the West.

Mr. SHERLEY. I do not do anything of the kind, and nobody knows better than the gentleman, but I do not lose my head under the spell of a name. I do not under the guise of irrigation think you are going to create an El Dorado. I saw some of the irrigation projects that ought never to have been created.

Mr. SMITH of Idaho. That is quite true—

Mr. SHERLEY. And I know there is \$70,000,000 of debt to the Federal Government as a result of some of the irrigation projects. I insist the burden is upon the gentleman when he undertakes to get into the Treasury rather than upon us who resist the efforts to get into the Treasury.

Mr. SMITH of Idaho. Does the gentleman want to abandon the whole irrigation plan?

Mr. SHERLEY. I do not, but I want the gentleman to show cause in each instance, and it seems to be resented on this floor when anybody rises to inquire touching the matter.

Mr. SMITH of Idaho. It is certainly resented when it appears any Member is so prejudiced against the development of the arid lands and apparently disinclined to be informed as to the facts in regard to these matters.

Mr. SHERLEY. Let the facts determine whether it is a matter of prejudice or a matter of judgment.

Mr. TAYLOR of Colorado. Just a moment.

Mr. MONDELL. Mr. Chairman, I desire to be recognized.

Mr. SHERLEY. I have the floor.

Mr. MONDELL. I thought the gentleman had finished.

Mr. TAYLOR of Colorado. I suggest to the gentleman from Kentucky—I know he is very busy and does not have time to study these reports. I have attached to this report a petition signed by 103 men who have been living on one of these projects for about 10 years, and the promoters have not been able to finance it. They have not been able to get sufficient water; they have not and probably can not complete it. It has not yet been forfeited or canceled, but the chances are that it will be if something is not done soon, and I am trying to protect those disappointed and unfortunate people on that project in their property rights.

Mr. SHERLEY. I will simply answer the gentleman by saying a petition of 103 men does not prove anything.

Mr. TAYLOR of Colorado. It very clearly shows their actual condition on that land. It is not their fault that nothing has been done for 10 years. They have already lost enough, and the community has lost enough, without permitting some strangers to confiscate these settlers' homes and property rights.

Mr. SHERLEY. Of course; but the condition of a person is not a necessary reason for coming here. I have more people in one ward of my town than a good many sections in these Western States, and I could get a petition of thousands of men if they thought they could get special legislation by the signing of a petition.

Mr. TAYLOR of Colorado. My dear sir, if we had not in the past been able to secure a more liberal policy toward the development of the West than the gentleman indicates, we would not to-day have as many in the 16 Western States as he has in one precinct of his home city. Congress in former years pursued a policy of trying to build up the West and develop a new country, and that is the way the West was developed, but there is much need and much room for a great deal more development.

Mr. SHERLEY. I am willing to build it up, but I do not want the price to become too high.

Mr. TAYLOR of Colorado. We are not asking Uncle Sam for one dollar. We merely ask fair treatment. When people put in many of the best years of their lives and the hardest possible work and untold privations, disappointments, and hard-

ships trying to get a home, I have always done the best I could to help them and to prevent anyone from beating them out of their property rights, and that is exactly what this bill does. It is so plainly and eminently fair and just that I can not understand how anyone can oppose it.

Mr. MONDELL. Mr. Speaker, I think this debate illustrates as well as anything we have heard here in a long time how some misunderstanding and lack of full information in regard to a matter may mislead men. What is the situation? Of all the fair pieces of legislation that have ever been brought before the Congress concerning the public lands, this is perhaps as fair as any ever presented. All that western territory that would be affected by a bill like this has for the last 50 years and more been subject to homestead settlement and entry. Any man at any time, a citizen of the United States or who had declared his intention to become one, could go upon any tract of this land, enter it, and secure title under the homestead law. But in certain locations hardy pioneers, in order to do a little better than simply settle the lands under the homestead law without their being reclaimed, made an effort to reclaim them under the Carey Act. In some cases that effort was not successful. Now, if the lands had never been embraced in the Carey Act segregation, these men would have a prior right to make a homestead entry, but the land having been withdrawn the man settled upon it did not acquire any preferential right. The stranger, the wayfarer, might step into his shoes and into his house and declare himself a homestead entryman and secure the land in preference to the man who had lived upon it and spent his money in the improvement of it. If there is anything fairer in the world than the proposition contained in this bill I do not know what it would be, unless there are some people somewhere who want to invite folks who have no interest in a piece of land, who have made no effort to reclaim it and establish a home on it, to secure an advantage over the man and his family who have endeavored to reclaim it and secure a home upon it. The gentleman from Kentucky talks about the danger of some burden being placed on the Federal Government. If there was any hope of these lands being reclaimed by the Federal Government or anyone else, what is proposed here is the very last thing that anyone would want to have done. If there was any hope of the Federal Government ever taking these lands into a Federal project, the settler would sit tight and wait until that time. It is because there is no hope, it is because the only way that the lands can be utilized is by dry farming, that this relief is sought. Out of some knowledge of the situation, I want to assure the gentleman from Kentucky [Mr. SHERLEY] that his fears are without any sort of foundation that the Federal Government will be asked to come and reclaim these claims. If there was the slightest hope of that being done, the settlers would not be asking to have the lands restored to entry. They would stay where they are until the Federal Government came along, in the meantime enjoying the land as best they might.

Mr. MOORE of Pennsylvania. Mr. Speaker, I move to strike out the last two words.

I would not be misunderstood by any one of my friends from the Western States with regard to this proposition, but it seems to me they are just a little sensitive in the matter of criticism. The gentleman from Kentucky [Mr. SHERLEY] has opened up a field for discussion here which is intensely interesting, and the gentleman from Colorado [Mr. TAYLOR] has responded to him by calling attention to the report, which alludes to a petition signed by 100 settlers—farmers, stockmen, and business men—immediately adjacent to a Carey Act segregation in western Colorado, the burden of which seems to be that the Great Northern Irrigation & Power Co. started a development on what is referred to as extremely "fertile acres," thousands of them, and that while these settlers have gone in in good faith and have remained there for 10 years nothing has been done—

Mr. TAYLOR of Colorado. By the company.

Mr. MOORE of Pennsylvania. By the company to bring these lands up to a state where they might be profitably cultivated, leaving these settlers high and dry, as it were.

Mr. GORDON. Especially dry.

Mr. MOORE of Pennsylvania. Yes; dry. I said a little while ago, and I was criticized for it by one of my friends from the East—and I am raising no sectional lines here—that these men had my sympathy. I repeat that if there is any prospector on earth who has my sympathy it is a man who will leave the fertile lands of the East and go out West and live on these desert lands, waiting for somebody to keep his promises to make them fertile. He has my sympathy, and is entitled to it; and he is entitled to the sympathy of every eastern man who is on good soil. But the wonder to me is why men will be induced to leave fertile soil, land that is arable,

land that is capable of cultivation, land that is already irrigated by nature, to make this bold undertaking—

Mr. SHERLEY. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. SHERLEY. There is an old saying that "far-off oxen have long horns."

Mr. MOORE of Pennsylvania. And that is an axiom that is more or less true; but it does not remove the element of sympathy we ought to have for these unfortunate and brave men who go out into these arid and semiarid regions, stake off claims, and live there indefinitely, hoping somebody will bring them water. I do not wonder that my friend from Idaho [Mr. SMITH] makes the fight he does on this floor. If I represented these people, I would fight as hard as he does and harder if I had the ability.

Mr. SMITH of Idaho. Does not the gentleman admit, at least to himself, that he wishes he had gone out West 20 years ago and grown up with the country?

Mr. MOORE of Pennsylvania. Yes. I might have been a Senator of the United States by this time, as the gentleman from Idaho may be.

Now, I am not going to oppose this bill. I shall support it because I desire to see some relief brought to these people, who are likely to lose out after all their hardship. I do not understand that this is an unfair advantage to anybody, but that a preference is being given here to these unfortunate but brave men who have gone out of the East—

Mr. TAYLOR of Colorado. That is all there is to it.

Mr. MOORE of Pennsylvania (continuing). Who have gone out there and taken their chances in territory like that. But the wonder to me is that the gentlemen who represent these people do not give us more information as to why these irrigation companies or these concerns like the Great Northern Irrigation & Power Co., that induce the people to go on these lands, do not make good. That, to me, is a serious question. Somebody induces these people to go there. Representatives, like my friend from Colorado [Mr. TAYLOR], stand up on the floor here valiantly and consistently advocating these matters, and they ought to do it; but it seems to me they do not go to the full length. They ought to help us in some way or another to reach the people who induce these bona fide settlers to go upon the lands only to be caught in such a trap, as it sometimes seems.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Massachusetts.

Mr. WALSH. I am sure that the gentleman from Pennsylvania does not wish to have the impression conveyed that the sole reason which compels him to support this measure is his sense of sympathy for these people.

Mr. MOORE of Pennsylvania. Not necessarily.

Mr. WALSH. That is the only reason the gentleman has given.

Mr. MOORE of Pennsylvania. No. I think there is an element of justice in it. I say that frankly. I think there is an equity here. Here are men who have been struggling for 10 years upon this desert territory, if the statements made in this petition are true—

Mr. TAYLOR of Colorado. That is true. I have been over the ground myself—

Mr. MOORE of Pennsylvania. People who have been waiting for this reclamation company to make good.

Mr. GORDON. And it is waiting for Congress to make good.

Mr. MOORE of Pennsylvania. For Congress or the State to make good?

Mr. GORDON. No; Congress.

Mr. MOORE of Pennsylvania. Meanwhile these tenants have made improvements. They have expended their labor and their money, and that is where my sympathy comes in.

Mr. FRENCH. Mr. Speaker, I offer a little amendment.

Mr. TAYLOR of Colorado. Let us adopt the committee amendment first.

Mr. FRENCH. This is on the committee amendment.

The SPEAKER pro tempore. The gentleman from Idaho offers an amendment to the committee amendment. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. FRENCH to the committee amendment: Page 2, line 10, strike out the words "qualified person" and insert in lieu thereof the following: "such Carey Act entrymen."

Mr. FRENCH. Mr. Speaker, as the committee will see, that is simply language that will clarify the language of the bill. I hope there will be no objection to it.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. FRENCH. Yes; I will be glad to yield.

Mr. STAFFORD. Of course, the gentleman by the amendment enlarges the class who may make entry, as I understand it, under this act. It restricts them to the Carey Act entrymen.

Mr. FRENCH. Yes; no one else would have any preference rights there.

Mr. TAYLOR of Colorado. If he were not a qualified Carey Act entryman, he would not be on the project.

Mr. STAFFORD. But under existing law any person can enter these Carey Act lands, whereas it is the purpose of this bill to limit this privilege to take this land only to those who are qualified.

Mr. FRENCH. Qualified how?

Mr. STAFFORD. Under national law.

Mr. TAYLOR of Colorado. If we did not adopt this amendment, there are a great many people, especially in the State of Idaho, who could not get the benefit of it. Some one would come along and take their rights away from them. That is the reason for the amendment.

Mr. STAFFORD. It is more liberal in a way.

Mr. TAYLOR of Colorado. The bill, as I introduced it and as it is before us now, gives a preference right of entry "to any qualified person." It does not say "any qualified entryman." A person who has used his homestead right is a qualified entryman under the Carey Act. I think the amendment offered by the gentleman from Idaho [Mr. FRENCH] would protect some people that might possibly not be included in the bill as it is now. That is, it might be so construed, so I think it is a proper amendment.

Mr. WALSH. But, Mr. Speaker—

The SPEAKER. Does the gentleman from Idaho yield to the gentleman from Massachusetts?

Mr. FRENCH. I will be glad to yield.

Mr. WALSH. This proposed amendment, of course, is broader than the bill as introduced. It is much broader than the bill as amended by the committee, and would, I think, include persons who were not intended to be relieved under the provisions of the act, either as introduced or as amended.

Mr. TAYLOR of Colorado. If the gentleman will yield to me for a minute, I will say that this bill was prepared, at my request, by the law officials of the Interior Department; that is, the present phraseology of the bill is really departmental. But several days ago the gentleman from Idaho [Mr. SMITH] called my attention to the fact that they had one or more projects in his State which under this present language might not be relieved; that is, that some of the settlers on those projects have used their homestead rights or desert-land rights. There are very worthy people, with improvements and homes, living on the land, and he said that under the language of my bill he feared those people might not be protected, and asked if I would object to this amendment. I think the bill is probably broad enough, but if there is any question about it I am perfectly willing to accept this amendment and make the bill clearly protect the homes and property rights of everyone. I do not see how any harm could come from it. That would make the bill read as follows:

That the Secretary of the Interior, when restoring to the public domain lands that have been segregated to a State under section 4 of the act of August 18, 1894, and the acts and resolutions amendatory thereof and supplemental thereto, commonly called the Carey Act, is authorized, in his discretion and under such rules and regulations as he may establish, to allow for not exceeding 90 days, to any such Carey Act entryman, a preference right of entry under applicable public-land laws of any of such lands to which such person had initiated a claim under the State laws and upon which such person had established actual bona fide residence or had made substantial and permanent improvements.

Mr. WALSH. The only harm in it is that it makes it wider open.

Mr. TAYLOR of Colorado. Oh, no. It makes the bill more clearly express what I intended.

Mr. WALSH. It permits these people to be relieved who are not qualified persons under the Carey Act.

Mr. TAYLOR of Colorado. They must be qualified persons under the Carey Act or they could not be there. In addition they must be actual residents on the land or people who have actually put valuable and permanent improvements on the land. Entire strangers to the project could not come in and get a preference right to file on anybody else's property. A Carey Act entryman who has in good faith established a residence upon his claim or put valuable and permanent improvements on it is entitled to be protected in his rights, even if he had formerly used his homestead right.

Mr. WALSH. It seems to me that the amendment proposed is much broader than the original law or than the bill as filed. The amendment is proposed for the sake of relieving a few people. It is very unwise, in my judgment, to put in this language,

Mr. JUUL. Mr. Speaker, will the gentleman yield?

Mr. WALSH. Yes.

Mr. JUUL. Does not the gentleman think that if he would look at line 12 he would find that it would be impossible to grant relief to anybody who had not initiated claims?

Mr. WALSH. I think so.

Mr. JUUL. If that is the case, then the limitation upon this bill is that a man, in order to secure any benefit from this law, must at some time or another have initiated a claim. If only such people can profit by it, I think it is mighty safe legislation.

The SPEAKER pro tempore. The time of the gentleman from Idaho [Mr. FRENCH] has expired. The question is on agreeing to the amendment offered by the gentleman from Idaho to the committee amendment.

The question was taken, and the amendment to the amendment was agreed to.

The SPEAKER pro tempore. The question is on agreeing to the committee amendment as modified by the amendment of the gentleman from Idaho.

The committee amendment as modified was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the House bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. TAYLOR of Colorado, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER pro tempore. The Clerk will report the next bill.

INTEREST PAYMENTS TO THE CHEROKEE NATION.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 4699) providing for the payment of certain interest on items 1 and 4 of the judgment of the Court of Claims of May 18, 1905, in favor of the Cherokee Nation.

The title of the bill was read.

Mr. HASTINGS. I ask unanimous consent that this bill be passed without prejudice.

The SPEAKER pro tempore. The gentleman from Oklahoma asks unanimous consent that this bill be passed over without prejudice. Is there objection?

Mr. WALSH. I shall object, unless the bill goes to the foot of the calendar.

Mr. HASTINGS. Oh, certainly.

Mr. WALSH. Will the gentleman modify his request?

Mr. HASTINGS. Certainly. I ask that it go to the foot of the calendar.

The SPEAKER pro tempore. The gentleman from Oklahoma asks unanimous consent that the bill be passed over without prejudice and go to the foot of the calendar. Is there objection? There was no objection.

CLAIMS OF THE CHEROKEE NATION.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 357) conferring jurisdiction upon the Court of Claims to hear, consider, and determine certain claims of the Cherokee Nation against the United States.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, in view of the action taken by the gentleman from Oklahoma [Mr. HASTINGS] on the prior bill, to which no serious objection was registered when this calendar was called on the last occasion, except to that provision to which the Secretary of the Interior objected, I expected that the gentleman from Oklahoma would ask unanimous consent to have this bill go over without prejudice. If he does not do so, I shall have to object.

Mr. HASTINGS. Mr. Speaker, answering the gentleman from Wisconsin, an amendment has been suggested by the Secretary of the Interior, to be added to this bill, providing in effect that such fee shall be paid as the Court of Claims may allow, and if unanimous consent were given, I had intended to offer that amendment to this bill. I thought that would obviate any objection that there might be to its consideration. If the gentleman will permit me, this is recommended by the Interior Department, and is to refer to the Court of Claims this matter for adjudication. I do not think there would be any objection to that. The only objection at all that was found to the bill, or at least the principal objection—I believe there were one or two other minor amendments—was that the amount of the fee should be fixed by the Court of Claims. I was going to offer that amendment, and I thought that then there would be no other objection to the consideration of this bill.

Mr. STAFFORD. Mr. Speaker, in view of the statement made by the gentleman from Oklahoma, I ask unanimous con-

sent that the bill be passed over without prejudice, to take its place at the foot of the calendar.

Mr. HASTINGS. I have no objection to that.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent that this bill be passed over without prejudice, to take its place at the foot of the calendar. Is there objection?

There was no objection.

ADDITIONAL ASSOCIATE JUSTICES OF THE SUPREME COURT OF THE DISTRICT OF COLUMBIA.

The next business on the Calendar for Unanimous Consent was the bill (S. 2489) to create two additional associate justices of the Supreme Court of the District of Columbia.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. MOORE of Pennsylvania. Mr. Speaker, I object for the present.

The SPEAKER pro tempore. The gentleman from Pennsylvania objects. The bill will be stricken from the calendar.

Mr. WEBB. Mr. Speaker, will not the gentleman withhold his objection—

Mr. MOORE of Pennsylvania. Since the gentleman from North Carolina evinces his interest in this bill, I will say that it appears that this is a matter of such importance that it ought to come up in the regular way and not be passed by unanimous consent.

Mr. WEBB. Will not the gentleman withhold his objection for a moment?

Mr. MOORE of Pennsylvania. I will withhold the objection, certainly.

Mr. WEBB. I realize that this is a matter of importance from a parliamentary standpoint; but, on the other hand, it is of much greater importance to the litigants and public of this city that this bill should be passed at once. I want to say to my friend from Pennsylvania that a year ago the necessity for additional judges in the Supreme Court of this District was so pressing that the Judiciary Committee, by unanimous vote, recommended the passage of this bill, and it passed this House by unanimous consent and went to the Senate and passed that body in practically the same way; but an additional judge was tacked onto the bill, and the House Judiciary Committee could not agree to that; so the bill died in conference. During this session the bill has passed the Senate and has been reported back to the House by unanimous vote of the Judiciary Committee.

I want to say to my friend that in my service here in the House there has not been anywhere a more congested and distressing condition of affairs in the way of an overcrowded docket of a court than exists in the Supreme Court of this District. Last year this supreme court terminated 7,884 cases; in other words, 1,313 cases per judge, according to the Attorney General's report. The average termination of cases by Federal judges in United States courts is about 180 or 190 cases each per year. These judges in the District of Columbia terminated 1,313 cases each. For the sake of the litigants and the hard-worked judges of this District I appeal to my friend from Pennsylvania not to object to this bill.

Mr. WALSH. I want to ask the gentleman from Pennsylvania [Mr. Moore] if he will not bestow upon the people of the District of Columbia, who, according to the representations of the chairman of the Judiciary Committee, are being denied justice and the opportunity to present their cases, the same sympathy with which his heart is filled to overflowing toward the people of the great western country?

Mr. MOORE of Pennsylvania. The gentleman from Massachusetts [Mr. Walsh] pleads like a lawyer; but I question whether I would want to withdraw my objection at this time, owing to certain information that I understand is available with respect to the necessity for these two new judges. It is not usual to create judges by unanimous consent, as the gentleman well knows.

Mr. WEBB. I will say to my friend that by unanimous consent we have created six or eight new judges in this House in the last 12 years, and I remember one for New Jersey, one for California, and one for Pennsylvania.

Mr. MOORE of Pennsylvania. There have been cases, one of which in particular has been called to my attention recently, where I am frank to say the House would not be justified in creating a new office. I do not want at this time to dispute the gentleman's statement of facts with regard to the necessity for these two new judges.

Mr. WEBB. I am getting my facts from the report of the Attorney General.

Mr. MOORE of Pennsylvania. This court has been getting along very well with the judges that we have upon the bench, and it is rather unusual to ask for two judges. If this condition has been so alarming, we might have had a request for one judge long ago.

Mr. WEBB. I want to suggest to my friend that if he should bring a suit on the civil side of the docket in this court, and he should find that he could not hope to have a hearing of it within two years, he would say that was a distressing condition. Litigants are not only being denied justice but they are being denied the opportunity to get into court. These judges devote all their time that they can to their work, and do more work than any Federal judge of my acquaintance or knowledge.

Mr. STAFFORD. Will the gentleman yield?

Mr. WEBB. Yes.

Mr. STAFFORD. In the last Congress, in the Senate, a bill was introduced to try to correct this condition by conferring greater jurisdiction upon the municipal court and thereby to relieve the Supreme Court of the District of the trial of hundreds of cases of very minor consequence, involving amounts of \$50 and upward. A similar bill was introduced by the chairman of the committee in this House, but no such action has been taken this year. It is the opinion of certain attorneys in the District that the purpose now is to get the two additional judges and then come before Congress and try to have the jurisdiction rearranged so as to relieve this court, which should not be engaged in trials de novo or of appeal, of little, petty civil cases, whereby this court would no longer have cases that would require two additional judges. Is the gentleman acquainted with the trend of present-day legislation that has relieved circuit courts in Chicago and the circuit courts in my own home city of a great amount of minor litigation by vesting jurisdiction in minor civil cases in the municipal court and making the circuit courts only appellate courts on obvious errors in the record?

Mr. WEBB. In reply to the gentleman, I will say that he would not deny litigants or defendants the right to appeal from the police court where he is sentenced to one year in the penitentiary?

Mr. STAFFORD. I am not directing my remarks to the criminal side of the lower courts. I am directing the gentleman's attention to relieving the court of common pleas and the circuit court by enlarging the jurisdiction of the lower court and making the lower court's jurisdiction extend higher than that of the justice of the peace, thereby relieving the upper courts from the trial of these petty cases.

Mr. WEBB. The municipal courts here now have jurisdiction up to \$500, and that is bigger than it is in the gentleman's State and in many States.

Mr. STAFFORD. The distinguished chairman of the Judiciary Committee shows he is not acquainted with the recent legislation. In my home city we found it very efficacious in the expedition of the trial of civil cases by transferring to the civil court, which superseded the court of the justice of the peace, jurisdiction to the amount of \$2,000 in tort cases as well as contracts, and now the attorneys bring all their cases up to that amount, including personal-injury cases, into the civil court, and get a trial within 30 days; and the cases on appeal to the circuit court are reversed only for error that obviously works an injustice.

Mr. WEBB. I will say that even if you should deny the right of appeal in every criminal case and in every civil suit begun in the police court and the municipal court in this city, this supreme court would be a harder-worked court than any court in the United States, because the appeal cases only amount to about one-sixth of the cases tried by it.

Mr. STAFFORD. It is not the appeal cases; but am I not right in saying that at present litigants may bring cases de novo before the District Supreme Court involving \$50?

Mr. WEBB. They can do it, but they never do it. They bring them in the municipal court, where they can get immediate trial. If they bring them in the supreme court they could not get a trial in a civil suit in less than two years. I submit to the House in behalf of public justice that two new judges should be created for this District.

Mr. GILLET. Will the gentleman yield?

Mr. WEBB. Yes.

Mr. GILLET. Is this the court over which our late associate, Judge Covington, presides?

Mr. WEBB. Yes.

Mr. GILLET. He is chief justice of that court?

Mr. WEBB. Yes.

Mr. GILLET. Is it not a fact that the President thinks the court has so little to do that he has assigned Judge Covington to other duties to which he is giving a part of his time?

Mr. WEBB. No, sir; the chief justice is in his court practically every day. The only difference is he does not take up a case that will require a week to try it. You will find him there this morning or this afternoon, I have no doubt.

Mr. GILLET. It takes a great deal of his time, does it not?

Mr. WEBB. No; not a great deal of time. He spends an evening or an afternoon on this labor proposition, but he does not sacrifice his court, because he is on the bench almost constantly.

Mr. GILLET. He is now on his way out West, is he not?

Mr. WEBB. No; I do not think so. He is doing great work in the interest of our common and beloved country, and should not be criticized for answering the call of the President in these grave times.

The SPEAKER pro tempore. Is there objection?

Mr. MOORE of Pennsylvania. I object.

REFINED PRODUCTS OF PETROLEUM AS STORES ON VESSELS
CARRYING PASSENGERS.

The next business on the Calendar for Unanimous Consent was the bill (S. 1546) to permit the use of certain refined products of petroleum as stores on steam vessels carrying passengers.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 4472 of the Revised Statutes of the United States of America be, and the same is hereby, amended by adding thereto the following provision: "Provided, however, That kerosene and lubricating oils made from refined products of petroleum which will stand a fire test of not less than 300° F. may be used as stores on board steamers carrying passengers, under such regulations as shall be prescribed by the Board of Supervising Inspectors with the approval of the Secretary of Commerce."

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. ALEXANDER. This bill passed the last Congress and failed to pass the Senate, and in this Congress it passed the Senate and is unanimously reported by the Committee on the Merchant Marine and Fisheries.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. ALEXANDER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

AUTHORIZING THE ESTABLISHMENT OF CERTAIN SECOND-CLASS POST
OFFICES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 7230) to amend the postal laws.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I object.

Mr. RANDALL. Mr. Speaker, I ask unanimous consent that the bill may be passed without prejudice.

Mr. STAFFORD. I object.

SURVEY OF HOMESTEADS IN ALASKA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 8563) to amend the homestead law in its application to Alaska, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. SULZER. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Alaska asks unanimous consent to consider the bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act of Congress entitled "An act to amend the United States homestead law in its application to Alaska, and for other purposes," approved July 8, 1916, is hereby amended to read as follows:

"SECTION 1. That every person who is qualified under existing laws to make homestead entry of the public lands of the United States who has settled upon or who shall hereafter settle upon any of the public lands of the United States situated in the District of Alaska, whether surveyed or unsurveyed, with the intention of claiming the same under the homestead laws, shall, subject to the provisions and limitations of the act approved March 3, 1903, chapter 1002, United States Statutes at Large, page 1028, be entitled to enter 160 acres or a less quantity of unappropriated public land in said District of Alaska, and no more, and a former homestead entry in any other State or Territory shall not be a bar to a homestead entry in Alaska: *Provided*, That nothing herein contained shall be construed to limit or curtail the area of any homestead claim heretofore lawfully initiated.

"SEC. 2. That if the system of public surveys has not been extended over the land included in a homestead entry, the entryman may, after due compliance with the terms of the homestead law in the matter of

residence, cultivation, and improvement, submit to the register and receiver a showing as to such compliance, duly corroborated by two witnesses, and if such evidence satisfactorily shows that the homesteader is in a position to submit acceptable final proof the surveyor general of the Territory will be so advised and will, not later than the next succeeding surveying season, issue proper instructions for the survey of the land so entered, without expense to the entryman, who may thereafter submit final proof as in similar entries of surveyed lands. So far as practicable, such survey shall follow the general system of public-land surveys, and the entryman shall conform his boundaries thereto: *Provided*, That nothing herein shall prevent the homesteader from securing earlier action on his entry by a special survey at his own expense, if he so elects.

"SEC. 3. That there shall be excepted from homestead settlement and entry under this act the lands in Annette and Pribilof Islands, the islands leased or occupied for the propagation of foxes, and such other lands as have been, or may be, reserved or withdrawn from settlement or entry."

Mr. WALSH. Mr. Speaker, I would like to ask the gentleman from Alaska what the idea is of exempting these two islands or group of islands in the last proviso of the bill?

Mr. SULZER. I will say to the gentleman that the Pribilof Islands are the seal islands in Bering Sea, and they are under the direct control of the Federal Government under international agreement to protect the seal herds. The Annette Island is an island reserved a number of years ago by the Government for the benefit of the Metlakatla Indians. That is covered in the law now, and this section is as the law reads now. It is simply copied in this bill.

Mr. WALSH. Who is it that is raising foxes—the settlers, or is it done under the supervision of the Federal Government?

Mr. SULZER. In addition to those islands I have just described, I will say to the gentleman there have been certain other small islands leased by the Department of Commerce to certain individuals for the propagation of foxes in Alaska.

Mr. WALSH. Is that carried on under the auspices of the Department of Commerce?

Mr. SULZER. Yes; the Department of Commerce has jurisdiction to make leases of islands for fox farming; the bill under consideration does not change the law in regard to those matters, but provides for a free survey of homestead entries in certain areas of Alaska not covered by the public-land surveys or not within the various reserves.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. SULZER, a motion to reconsider the vote by which the bill was passed was laid on the table.

COCONINO AND TUSAYAN NATIONAL FORESTS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 273) to extend the time for cutting timber on the Coconino and Tusayan National Forests, Ariz.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, I want to ask the gentleman having this measure in charge if it would not be possible under the terms of the bill extending the time to 1950, which is, I understand, 24 years beyond the limit now fixed by law, for timber or trees to be planted at this time and reforestation to be begun, so that in the year 1948 or 1949 all that timber would have reached a growth sufficiently large to be cut?

Mr. HAYDEN. Mr. Speaker, I will say to the gentleman that I was in a national forest in northern Arizona two years ago and made inquiry of the forest supervisor as to the average age of the trees that were cut for lumber. A variety known as the Chihuahuah pine grows there, and the supervisor stated that the average age, as shown by the rings in the trees, was 150 years, at which time the trees are mature and ready to cut. With this very slow rate of growth nothing that the gentleman suggests could happen.

Mr. WALSH. Of course I do not mean to say that they could raise trees there between now and 1950 of the same size as those now being cut, but could they not grow trees of sufficient size between the present time and 1948 which would at that time be large enough to cut for timber?

Mr. HAYDEN. Trees about 8 inches in diameter were pointed out to me as 30 years old. Owing to the comparatively slight rainfall, the growth is exceedingly slow. I desire to state for the information of the gentleman that if I obtain consent to have this bill considered, I shall propose to substitute an identical bill, which has passed the Senate, in lieu of this bill.

Mr. WALSH. Does that carry it up to 1950?

Mr. HAYDEN. Senate bill 389 is identical with this bill. There is not the difference of a comma between the two measures.

Mr. WALSH. Of course the gentleman states that he saw trees there that were 8 inches in diameter that were 100 years old—

Mr. HAYDEN. Thirty years old.

Mr. WALSH. Would it be possible to plant some other species of trees there which might grow more rapidly? Evidently there is sufficient moisture for a forest to have grown up during the past 100 or 150 years, and I do not know whether this is located in a section where the tree growth might be encouraged by the introduction of irrigation or some other plan.

Mr. HAYDEN. All this timber grows at an altitude of from 5,500 feet to 7,500 feet, and irrigation is both impractical and unnecessary. The Forest Service has a tree-planting experiment station near Flagstaff, Ariz., but up to this time they have had but little success in growing trees there. It was explained to me by the officer in charge of the station that if the rainfall does not come at the right time the seeds do not germinate, or, if it happens to be a very cold winter, the freezing will kill the young trees. It is only once in about 15 years that there is any considerable reproduction of timber. There has to be a combination of rainfall and seed crop and a mild winter so that the trees do not freeze in order to have any reproduction at all. For these reasons planting trees on the national forests in northern Arizona has not been demonstrated to be a commercial success.

Mr. WALSH. Then the result of this legislation will be to just devastate this reservation?

Mr. HAYDEN. Oh, no. The Saginaw & Manistee Lumber Co. now control two tracts of land, aggregating 75,000 acres, on which there are about 180,000,000 feet of lumber. On 45,000 acres, containing about 115,000,000 feet of lumber, they have until 1926 in which to complete the cut. That company now has absolute control of that area and can strip it bare of merchantable timber if they so desire.

On 30,000 acres, containing about 65,000,000 feet of timber, there is no time limit. They can cut that at any time they please. Now, the company agrees that, in consideration of this extension of time on the 45,000 acres, the unlimited time they have in which to cut the timber on the 30,000 acres shall likewise be limited to 1950. They also agree that hereafter all logging operations shall be conducted under the regulations of the Forest Service, which provide that a number of seed trees shall be left on each acre, and that the tree tops shall be piled and burned to avoid the danger of forest fires.

With respect to the history of this bill I would like to state to the gentleman some facts which I think perhaps will aid in its consideration. This measure was sent to me by the officials of the United States Forest Service in Washington, and I was asked to introduce it, because the enactment of such a law would benefit the Coconino and Tusayan National Forests. About 50 years ago the Government donated to the Atlantic-Pacific Railroad the alternate sections on each side of the track for 40 miles. About 20 years ago the Government, by means of certain exchanges, which no one now approves, again acquired title to these alternate sections. But in the meantime the Saginaw & Manistee Lumber Co., a Michigan corporation, had bought timber on two large tracts of land. They did not own and never have owned an acre of the land. They purchased only the timber-cutting rights.

In logging its timber on the alternate sections the company also found it advisable to purchase the timber on the other parts of the checkerboard, which belonged to the United States. But the capacity of the lumber mill in Williams is such that, unless this bill is passed, they must confine all of their operations to the tract of 45,000 acres, if they are compelled to cut the timber on it by 1926. This means that the Government timber on the alternate sections will not be cut.

Now, no other lumber company could afford to carry on logging operations for half of the timber in that scope of country. Therefore it is to the interest of the Forest Service that this legislation be passed so the cutting will proceed on all of the land.

Mr. WALSH. The gentleman's statement is based upon the theory that it is to the interest of the Forest Service to destroy all the trees, whether on the odd-numbered or even-numbered sections, above 12 inches in diameter?

Mr. HAYDEN. No; it is in the interest of the Forest Service to have all the matured timber cut on the Government land as well as on the lands now controlled by the Saginaw & Manistee Lumber Co. If that is done, and suitable seed trees are left on each acre, the forests are amply protected and will reproduce themselves in due course of time.

Mr. WALSH. May I ask the gentleman if this company which is cutting the timber upon the odd-numbered sections, which it has purchased, is leaving trees uncut 11 inches in diam-

eter 18 inches above the ground or making a clean sweep of those trees?

Mr. HAYDEN. I understand that the company is faithfully carrying out the contract under which it is doing business. I have heard no complaint from the Forest Service in that regard. They have left all undersize trees on the land.

Mr. MONDELL. Is not this probably true: So far as their own timber is concerned they are under no obligations to leave those trees?

Mr. HAYDEN. They are under contract to cut no tree under 11 inches in diameter 18 inches above the ground.

Mr. MONDELL. They may be doing that; but they are under no obligation to leave seed trees or to comply with the regulations of the Forest Service with regard to the protection from fire.

Mr. HAYDEN. That is true; but they now propose to put themselves under the national forest regulations.

Mr. WALSH. So if they desire, without this legislation they could entirely clear the odd-numbered sections, but if this legislation is passed they would have to comply with the same regulations that are imposed upon even-numbered sections in cutting timber on the odd-numbered sections?

Mr. HAYDEN. Exactly so.

Mr. WALSH. And this limit, which is now fixed at 1950, in the gentleman's opinion would not be detrimental to the preservation and security of the forests in that section of the country?

Mr. HAYDEN. Absolutely not. The gentleman understands that the limit to which he refers applies only to about one-half of the land.

Mr. WALSH. I understand.

Mr. HAYDEN. But they accept the limit of 1950 on another tract of land, which they now have an unlimited time to cut.

Mr. STAFFORD. Mr. Chairman, reserving the right to object, where in the bill is there any such provision that terminates the right of this lumber company to cut its timber on that land which has no limit of time for cutting?

Mr. HAYDEN. This is the way in which this matter came up: An agreement between this company and the Secretary of Agriculture is already prepared and ready for signature, and the bill provides:

That said company executes and enters into an agreement with the Secretary of Agriculture to comply with such additional requirements as may be mutually agreed upon to promote forest-fire protection, reforestation, and forestry administration.

Now, in the prepared agreement the Secretary of Agriculture has provided that the timber-cutting rights on both tracts of land shall expire in 1950.

Mr. STAFFORD. But there is nothing in the law which terminates the right of this lumber company—that their right on their land, on which they have an unlimited right to cut, shall terminate in 1950?

Mr. HAYDEN. This act is absolutely inoperative unless they make such an agreement with the Secretary of Agriculture.

Mr. STAFFORD. There is nothing in this law saying the Secretary should embody that provision in the agreement, but while it is incorporated in the letter of the Secretary, that is his proposition; nevertheless if this law were passed and the lumber company would decline to adhere to the tentative agreement the Secretary would be still privileged to go ahead and give the privilege to continue until 1950 the cutting on this land.

Mr. HAYDEN. Which he has absolutely no intention of doing.

Mr. STAFFORD. I know that. Now, would the gentleman have any objection to incorporating an amendment to carry out that idea?

Mr. HAYDEN. I would not have any objection to it; but I do not think it is necessary.

Mr. STAFFORD. It is not necessary if the Secretary insists that the tentative agreement be executed, but as legislators we should embody it in the bill.

Mr. HAYDEN. I have no objection to that. But, as I say, the Secretary assures us, and so states in his report, that nothing will be done to this unless such an agreement is reached.

Mr. STAFFORD. The reason for Congress allowing this bill to go through granting this long time of 24 years to this company to cut timber on the major portion of this land that it has not a right to cut is that it will surrender its privileges of cutting timber there perpetually in December, 1950. Now, I would like to ask the gentleman if he has any objection to an amendment that I suggest, in the following language? I do not know whether it will embody it or not. I am reading now on page 2, after the word "administration," in line 5. After the word "administration" insert:

And, further, that all its rights to cut and remove timber from any lands within said national forest are to terminate on the 31st day of December, 1950.

Mr. HAYDEN. I would be glad to accept that amendment.

Mr. STAFFORD. May I inquire further—and I am making the inquiry at the suggestion of some gentlemen on this side—what was the need of extending this privilege 24 years? Why could not a shorter time than that still protect the interests of the Government and also give advantage to the lumber company?

Mr. HAYDEN. All that I know is that this agreement was made between the lumber company and the Forest officials after considerable negotiation. Having reached an agreement, the Forest Service sent me this bill and asked me to introduce it. I will say to the gentleman that before I took any action on it in committee I referred it to the governor of Arizona, the State land commission, the board of supervisors of Coconino County, and a number of others. They all reported to me that this measure was mutually advantageous to the Forest Service, the State of Arizona, Coconino County, and to the lumber company.

Mr. STAFFORD. I understand that this is a mountainous country.

Mr. HAYDEN. Yes.

Mr. STAFFORD. And it is only practicable to have one spur line of railroad to run it into the forest and take the timber down to the mill?

Mr. HAYDEN. And it is hard to construct on account of the rocky condition of the country.

Mr. Speaker, I ask unanimous consent to substitute the bill S. 389 for the House bill, and ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Arizona asks unanimous consent that the bill be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none.

Now, the gentleman from Arizona asks that Senate bill 389 be considered in lieu of the House bill. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 389) to extend the time for cutting timber on the Coconino and Tusayan National Forests, Ariz.

Be it enacted, etc., That the rights of the Saginaw & Manistee Lumber Co., and its successors in interest, to cut and remove the timber from such of the lands within the Coconino and Tusayan National Forests as were reconveyed to the United States, subject to outstanding timber-right contracts held by said company, under the rules, regulations, and conditions imposed by the Secretary of the Interior at the time of said reconveyance, are hereby extended to and until the 31st day of December, A. D. 1950: *Provided,* That said company executes and enters into an agreement with the Secretary of Agriculture to comply with such additional requirements as may be mutually agreed upon to promote forest-fire protection, reforestation, and forestry administration; but this act shall not be construed to confer upon said company any other rights in addition to those held by the company at the time of said reconveyance, and in the absence of the execution of such an agreement this act shall neither extend nor restrict the present rights of said company.

Mr. STAFFORD. Mr. Speaker, I offer an amendment which I send to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 2, line 5, after the word "administration," insert: And, further, that all its rights to cut and remove timber from any lands within said national forest are to terminate on the 31st day of December, 1950.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Wisconsin [Mr. STAFFORD].

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. HAYDEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. HAYDEN. Mr. Speaker, I ask unanimous consent to have the bill H. R. 273, of similar tenor, laid on the table.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

COLUMBIA RIVER AND ITS TRIBUTARIES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 2617) to ratify the compact and agreement between the States of Oregon and Washington regarding concurrent jurisdiction over the waters of the Columbia River and its tributaries in connection with regulating, protecting, and preserving fish.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object, I do not incline to object, but I wish to obtain some information as to what are the rights of the Federal Government in control of fisheries in boundary streams.

Mr. HADLEY. Mr. Speaker, the States have complete jurisdiction over the Columbia River except in respect to commerce and navigation, and those are both exempted from the operation of the bill. There is no question of Federal jurisdiction involved here, in so far as fisheries are concerned.

Mr. STAFFORD. I suppose the title to the adjoining land on the Columbia River terminates at the high-water mark of that stream?

Mr. HADLEY. The high-water mark. I should say—

Mr. STAFFORD. And that the title, up to the median line, is in the State in which the property is located?

Mr. HADLEY. A more pertinent question, if the gentleman will permit, is as to what is the real boundary of the States. The boundary of the States is really the middle of the channel and the jurisdiction of the States is concurrent over the stream, but in the exercise of their powers under this general and concurrent jurisdiction, in the absence of uniform laws, there have frequently been very serious controversies which have arisen and which could not be avoided, because in the nature of things, where the boundary is in the middle of the stream, in the course of time, with the changed conditions, which are effective on either side, the question of determining where the middle of the stream is is one that is difficult for even scientific or accurate determination, and for practical purposes a very annoying situation is presented. With a view to reaching the difficulties that are involved, the States of Oregon and Washington entered into a compact, through their respective legislatures, in 1915, as it appears in this bill, and they adopted uniform laws with respect to fisheries on the Columbia River; that is, the agreement was made subject to ratification by Congress, because under the Constitution no such agreement can be made between the States, and, in fact, no agreement can be made between States without the consent of Congress.

A compact was entered into, and subsequently a bill identical with this passed the House in the Sixty-fourth Congress, but it failed to be reached in the other body, and in the sessions of 1917 following both States again entered into a further agreement with regard to the same general subject matter, desiring to amend their fishing laws concurrently in certain particulars. That was done, and in the report of the joint conference committee to each legislature, which was adopted by both legislatures, they again referred to this compact and agreement and expressed the desire on behalf of each State that this compact previously referred to in the bill which was passed in this House be ratified by Congress. That was done in the sessions of 1917, so that the compact continues, and the legislation has been consistent with that compact.

Mr. STAFFORD. Mr. Speaker, I have recognized the need of such action to confirm the action of the respective legislatures of the States, and therefore I withdraw my objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 2617) to ratify the compact and agreement between the States of Oregon and Washington regarding concurrent jurisdiction over the waters of the Columbia River and its tributaries in connection with regulating, protecting, and preserving fish.

Be it enacted, etc., That the Congress of the United States of America hereby consents to and ratifies the compact and agreement entered into between the States of Oregon and Washington relative to regulating, protecting, and preserving fish in the boundary waters of the Columbia River and other waters, which compact and agreement is contained in section 20 of chapter 188 of the general laws of Oregon for 1915, and section 116, chapter 31, of the session laws of Washington for 1915, and is as follows:

"All laws and regulations now existing, or which may be necessary for regulating, protecting, or preserving fish in the waters of the Columbia River, over which the States of Oregon and Washington have concurrent jurisdiction, or any other waters within either of said States, which would affect said concurrent jurisdiction, shall be made, changed, altered, and amended in whole or in part, only with the mutual consent and approbation of both States."

Nothing herein contained shall be construed to affect the right of the United States to regulate commerce, or the jurisdiction of the United States over navigable waters.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HADLEY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER pro tempore. The Clerk will report the next bill.

ASSISTANT TO THE SECRETARY OF THE INTERIOR.

The next business on the Calendar for Unanimous Consent was the Senate joint resolution (S. J. Res. 104) authorizing the

assistant to the Secretary of the Interior to sign official papers and documents.

The title of the resolution was read.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. I object.

Mr. STAFFORD. Will the gentleman withhold his objection?

Mr. WALSH. Yes; I will withhold it.

The SPEAKER pro tempore. The gentleman withholds his objection.

Mr. STAFFORD. Mr. Speaker, this resolution is strongly urged and recommended by the Secretary of the Interior in order to relieve him of some of the detailed work in the administration of his office.

The gentleman from Oklahoma [Mr. FERRIS], who reported the resolution, is at present engaged in a very important hearing on the water-power bill. Otherwise he would be here to present this need. But, if the gentleman will permit, this assistant to the Secretary, as the Secretary points out in his letter contained in the report, is a high-grade man in the nature of a confidential secretary.

The gentleman realizes that in the administration of large business affairs, matters of detail, of the signing of papers, the signing of letters, is left by the heads of the institutions to the assistant to the president, assistants to the various other executive officers. The gentleman certainly is not opposed to deputing to the assistant to the Secretary such administrative work as is sought to be accomplished by this bill.

I thought that with this presentation the gentleman would see the need of not taking up the time of the Secretary himself in merely signing unimportant papers, but would leave it to his discretion to determine what papers might be signed by his assistant.

Mr. MONDELL. The Assistant Secretary is a good lawyer. He is a man well qualified to pass on any question which might come before the Secretary. But in the law there are considerable classes of papers which can not be signed by the Secretary's assistant.

Mr. WALSH. May I interrupt the gentleman?

Mr. MONDELL. Yes.

Mr. WALSH. This is not to authorize Mr. Vogelsang to sign these papers. This is to authorize the assistant to the Secretary to do it.

Mr. ELSTON. It is the same thing.

Mr. WALSH. Oh, no; it is not the same thing at all. The gentleman from California [Mr. ELSTON] would convey the impression that the Assistant Secretary and the assistant to the Secretary are the same officials, whereas if he would look into the matter a little further he would see that they are not the same persons at all, and that this is not designed to confer any authority upon Mr. Vogelsang to sign papers, but to confer it upon Mr. Bradley or upon Mr. Meyer or on Mr. Brown.

Mr. ELSTON. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. ELSTON. When I suggested in the colloquy here, without obtaining recognition of the Chair, that it was the same thing I was referring to a principle. It is perfectly obvious that the Secretary of the Interior himself can not be here all the time. Mr. Vogelsang has tremendous responsibilities. Now, there are certain departments of the work that are in the nature of pro forma duties, wherein, however, the official signature of the Secretary is necessary. This resolution was considered by the committee of which I am a member. It was unanimously passed out by Republicans and Democrats, and it was considered a very necessary additional facility to the office of the Secretary of the Interior to enable them to do their business expeditiously.

We all know how these departments are run. There is a great deal of routine work, and it is desirable in the interest of efficient work in the departments. I hope the gentleman will not object. It is not a matter of adding to the autocratic power or enlarging the grasp of an ever-grasping Secretary, as he might impute, but it is merely to enable that Secretary the better to perform his functions.

It appeared to the committee, without much argument upon it, that it was a perfectly reasonable and sensible thing to do. I can not see how this resolution could be objected to at all. It is a very inconsequential matter. It amounts to very little. I appeal to the gentleman from Massachusetts to withhold his objection and let this little resolution pass.

Mr. WALSH. Mr. Speaker, I have withheld my objection for the purpose of permitting the gentleman from California to make the statement which he has made.

Mr. TAYLOR of Colorado. Mr. Speaker, will the gentleman from Massachusetts yield to a suggestion from me also?

Mr. WALSH. I will be delighted to.

Mr. TAYLOR of Colorado. I will say that the gentleman from Oklahoma [Mr. FERRIS] asked me to assist in passing this bill if there was any opposition to it. I think you know, and everybody knows, that the Secretary of the Interior is one of the busiest men in Washington, and has been for many months. In fact, all of us western Members, especially who have business with the Secretary of the Interior, or with the Interior Department, know that the assistant to the Secretary is a thoroughly qualified and exceptionally competent man to examine matters and to sign the Secretary's name to such matters as the Secretary may designate. The assistant secretaries have special duties that fully occupy their time. They are all very busy. That is a tremendously important department, and when the Secretary of the Interior has made this earnest request, and made it so urgently to the Senate and House both, to relieve him of this physical drudgery of personally signing his name many hundreds of times, it seems to me that is a reasonable request that Congress should grant. It is practically a personal matter that he has asked of us, and I am perfectly confident that it will not be abused or the Secretary's confidence violated. It seems to me we ought to grant this request in the interest of facilitating business. Certainly nobody will say that Secretary Lane would ask this authority if he thought there was any possibility whatever of its ever being abused. The Senate has promptly passed this bill without any question, and I certainly feel that the House ought to do so.

Mr. WALSH. Mr. Speaker, I recognize the fact that the present Secretary of the Interior is a most capable and excellent official—one of the ablest of the President's Cabinet, in my opinion—and that he had what seemed to him good reason for favoring this legislation. But it is only going to open up the opportunity in the future, when possibly we may not have as competent and capable a Secretary of the Interior as we have now, for confusion and mistake. The present Secretary of the Interior complains that he has only two assistant secretaries. Yet the Secretary of Commerce has but one, the Secretary of Labor has but one, and the Secretary of the Navy has but one assistant secretary. This does not enlarge the authority of the two assistant secretaries in any way whatever. In addition to these two assistant secretaries, the Secretary of the Interior has an assistant to the Secretary, an assistant to the Secretary in charge of the affairs of the Alaska Railroad, a special assistant to the Secretary, a chief clerk, a private secretary to the Secretary, and a confidential clerk, in addition to the various other bureau chiefs, assistants, clerks, and solicitors, and the assistants to the heads of the various bureaus and divisions of the Department of the Interior.

Mr. TAYLOR of Colorado. May I interrupt the gentleman?

Mr. WALSH. Yes.

Mr. TAYLOR of Colorado. Is the gentleman aware that the force in the Interior Department has increased so that to-day in the various bureaus of that department there are more than 25,000 employees?

Mr. WALSH. Yes; and I am also aware that the Navy Department has increased very much more than that, yet we have not been asked to provide another Assistant Secretary of the Navy. The work of the Navy Department is far greater and is of a great deal more importance during the present crisis than the work of the Interior Department.

Mr. TAYLOR of Colorado. But the Secretary of the Navy does not have to sign one one-hundredth part of the documents that the Secretary of the Interior has to sign.

Mr. WALSH. I do not agree with the gentleman at all, because the Secretary of the Navy and his assistants very often sign correspondence that comes to them from the chiefs of other bureaus and divisions, and frequently when you expect to get a reply from the chief of a bureau or division the reply is returned to you signed by the Secretary of the Navy or the Assistant Secretary. Secretary Lane says:

This, however, does not relieve myself or the Assistant Secretaries from the necessity of signing the documents and papers after they have passed through his hands—

Referring to the assistant to the Secretary. Therefore this is not going to relieve them from the task of signing these documents, apparently, but it simply permits somebody else to sign them before the Secretary does.

Mr. ELSTON. Will the gentleman yield?

Mr. WALSH. I yield to the gentleman from California.

Mr. ELSTON. Does not that leave the gentleman an opening, then, to permit this bill to pass without his objection under these peculiar circumstances? I realize the possibilities in the way of complications and possible abuse that the gentleman

has conjured up here; but in view of the last comment in the Secretary's communication, I do not think these things will eventuate in this case, and I really hope the gentleman will withhold his objection. I do not believe any great harm will result.

Mr. WALSH. Mr. Speaker, I have grave doubts as to whether we ought to establish a precedent such as this with the head of a very important executive department and permit him to allow one of his assistants—not an Assistant Secretary of the department, however—who may be, and probably is, his personal selection for the position, to sign documents of gravest import. The existing law only permits the chief clerk, as I understand it, to sign these documents in the absence of the Assistant Secretary. Probably an additional and impelling reason for the enactment of this proposed legislation may be found in the fact that this distinguished Secretary of the Interior has lately been assigned to a wage arbitration committee, or some similar board or tribunal—for which I know he is amply qualified—that will engage some of his time; but it seems to me that the Secretary of the Interior ought not to transfer the work of signing official documents that become a part of the records of the Government and of his department to an assistant who is not really an executive officer.

However, though I have received sufficient information to convince me that the objections which I have raised are well founded, I have had an opportunity to express my views upon the question, and I am going to withdraw the objection. [Applause.] Should confusion arise in the future, I shall have the satisfaction of knowing that it was, in a feeble way, forecast.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the joint resolution.

The Clerk read as follows:

Senate joint resolution 104.

Resolved, etc., That the assistant to the Secretary of the Interior be, and hereby is, authorized to sign such official papers and documents as the Secretary may direct.

The joint resolution was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. TAYLOR of Colorado, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

INDEMNITIES TO AUSTRIA-HUNGARY, GREECE, AND TURKEY.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 69) to authorize the payment of indemnities to the Governments of Austria-Hungary, Greece, and Turkey for injuries inflicted on their nationals during riots occurring in South Omaha, Nebr., February 21, 1909.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I ask that this be passed over without prejudice for a week.

Mr. FLOOD. Two weeks.

Mr. STAFFORD. No; the next Unanimous Consent Calendar day is a week from Monday.

Mr. GARRETT of Tennessee. But we may not get that day.

Mr. FLOOD. This bill was introduced by the gentleman from Nebraska [Mr. LOBECK], and I suppose he will have no objection to its going over without prejudice.

Mr. LOBECK. I suppose the gentleman from Wisconsin would like to consider it further.

Mr. STAFFORD. That is my purpose. It is worthy of consideration, because it involves a considerable amount.

Mr. LOBECK. All right.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

PORTRAIT OF WASHINGTON TO ARGENTINE REPUBLIC.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 6966) authorizing the Secretary of State to procure a suitable portrait of Gen. George Washington and present the same to the Military College of the Argentine Republic.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, the amount involved in this bill is small, and the idea is commendable. I wonder whether the committee would not think it advisable to place a limit on the amount that may be expended for other purposes than the procurement of this portrait? The

Argentine Republic presented a photograph. This great Republic desires to present a painting of our first President. It is a most laudable undertaking, but I do not believe that the \$3,000 appropriated, or the major portion of it, should be expended in expense attending its presentation, as the bill might permit. I think there should be some limit so that the major portion should be expended on the portrait, frame, and inscription. There has been no estimate made as to the cost of the painting, but if we are going to present one, we want a fitting one of the first President and not have the larger portion of it taken up with the expense of traveling and entertainment of a commission on the part of those who may present the portrait to Argentina.

Mr. FLOOD. I do not think there is any intention to send any commission to make the presentation. It will be sent to the American ambassador, and he will make the presentation. If the gentleman has an amendment to prevent anything of that kind, I will accept it.

Mr. STAFFORD. I have prepared an amendment, which says:

Provided, That no more than \$1,000 shall be expended for all other purposes except to procure the painting, frame, and inscription of the said portrait.

Mr. FLOOD. I think that is all right, but it would be better to make it \$500.

Mr. STAFFORD. That would be more reasonable.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Virginia asks unanimous consent to consider the bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That as a mark of appreciation of, and esteem for, the people of the Argentine Republic, the Secretary of State is hereby authorized and directed to procure, frame, and have suitably inscribed, a portrait of Gen. George Washington, and to present the same to the Military College of the Argentine Republic.

SEC. 2. That the sum of \$3,000, or so much thereof as may be necessary to pay the expense of executing this act, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be disbursed by the Secretary of State.

Mr. STAFFORD. Mr. Speaker, I offer the following amendment to be inserted at the end of section 2.

The Clerk read as follows:

Insert at the end of section 2 the following:

Provided, That no more than \$500 shall be expended for all other purposes except the procuring of the painting, frame, and inscription of the said portrait.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FLOOD, a motion to reconsider the vote whereby the bill was passed was laid on the table.

PROTECTION OF MIGRATORY BIRDS.

The next business on the Calendar for Unanimous Consent was the bill (S. 1553) to give effect to the convention between the United States and Great Britain for the protection of migratory birds concluded at Washington, August 16, 1916, and for other purposes.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. HUDDLESTON. Reserving the right to object, I would like to ask the gentleman from Virginia if it is his intention to press the bill?

Mr. FLOOD. No.

Mr. HUDDLESTON. I object.

UNITED STATES COURT FOR CHINA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10243) to supplement existing legislation relative to the United States Court for China and to increase the serviceability thereof.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. I object.

INCREASE OF SALARY OF THE UNITED STATES MARSHAL, WESTERN DISTRICT OF MICHIGAN.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 7796) to increase the salary of the United States marshal for the western district of Michigan.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SLOAN. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Nebraska asks unanimous consent to consider the bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That from and after the passage of this act the salary of the United States marshal for the western district of Michigan shall be at the rate of \$4,000 a year.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SLOAN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

ROCKY MOUNTAIN NATIONAL PARK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 171) to repeal the last proviso of section 4 of an act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes, approved January 26, 1915.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, the bill changes the limitation on the amount of appropriation that could be made by Congress in the original law creating the Rocky Mountain National Park only three years ago. I ask the gentleman to withdraw this bill so as to give the committee an opportunity to consider matters in connection with the administration of these national parks.

Mr. TIMBERLAKE. Mr. Speaker, I hope the gentleman will not object to the consideration of this bill at this time. It is true the prohibition was placed on it at the time of the organization of the park, one of the most extensive parks in this country, and yet this was the first park that was discriminated against in this way. The gentleman from Wisconsin urges that it be laid over in order that more information may be secured from the department as to the necessity for additional appropriations for the parks. The Secretary of the Interior has repeatedly, during the three years since this inhibition was made, recommended to Congress a larger appropriation, and gone into details as to the necessity for a larger appropriation. There have been more visitors to this park than to any other of our national parks. Last year there were more than 135,000 people visited it. It is not as accessible to people as it should be, and, being the property of the United States, it seems to me that an appropriation of \$10,000 a year is hardly sufficient even for its supervision, let alone any improvements necessary to bring the park accessible to the people. It is not sufficient to make trails and roads, and it does seem to me that, inasmuch as the Secretary of the Interior could not get a larger appropriation, that this inhibition should be removed. I want to say further that if this is done, making it possible for the Government to make a larger appropriation—and I will say that the demand will not be excessive—the people of Colorado, upon their own initiative, are prepared to treble the amount appropriated by the Congress out of the State funds in order to assist in the development and improvement of this park.

Mr. STAFFORD. Mr. Speaker, we all remember when this national park was created and taken under the supervision of the National Government. We all recall that at that time assurance was given that the National Government would not be called upon to expend more than \$10,000 in the maintenance of that park. It was essentially a State park. The National Government took it over, and there is now being presented the very condition which anyone who is acquainted with the trend of affairs to impose upon the National Government State functions feared, namely, the limit is sought to be raised and the whole burden of maintenance thrown upon the National Government. Unless the gentleman is willing to have this bill passed over without prejudice, I shall be constrained to object.

Mr. TIMBERLAKE. Will the gentleman yield for a moment?

Mr. STAFFORD. Oh, just a few moments ago I withheld a point of order that there was no quorum present, and I do not wish to take up the time longer, because it is getting late and it is Saturday afternoon.

Mr. TIMBERLAKE. Mr. Speaker, in view of the statement of the gentleman, I ask unanimous consent that this bill be passed over without prejudice, to go to the foot of the calendar.

The SPEAKER pro tempore. Is there objection?

There was no objection.

SALARIES IN CUSTODIAN SERVICE, TREASURY DEPARTMENT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 344) for the regulation of salaries in the custodian service of the Treasury Department.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman from Nebraska the percentage of increase this bill provides for these employees.

Mr. LOBECK. The average increase, according to the report on this bill, above what is paid now is 12.38 per cent.

Mr. WALSH. Mr. Speaker, while I think there is no question but that some of the salaries of these various employees ought to be increased, in view of the fact that the other day we passed a bill increasing the salaries of employees \$120 a year, and I take it that would include these comprehended in this measure, and in view of the further fact that this is too important a measure to be considered by unanimous consent at this time of the day and in this day of the week, I trust the gentleman will ask to have it passed over without prejudice and go to the foot of the calendar.

Mr. LOBECK. Mr. Speaker, in view of what the gentleman says, and because it is an important measure—we have had continuous hearings on it—and these are the lowest salaried men in any department—

Mr. WALSH. I notice that, and I think they are entitled to the increases provided.

Mr. LOBECK. And if the gentleman will promise to give this matter careful consideration so that we can take it up next unanimous-consent day, I shall be glad to ask to have it go over.

Mr. WALSH. I shall be glad to give the matter the consideration that it deserves.

Mr. LOBECK. Mr. Speaker, I ask that the bill be passed over without prejudice, to go to the foot of the calendar.

The SPEAKER pro tempore. Is there objection?

There was no objection.

SALARY OF UNITED STATES MARSHAL, WESTERN DISTRICT OF MICHIGAN.

Mr. RAKER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RAKER. Was a motion made to reconsider the vote by which the bill (H. R. 7796), to increase the salary of the United States marshal for the western district of Michigan?

The SPEAKER pro tempore. There was. The gentleman from Nebraska [Mr. SLOAN] made the motion.

Mr. SLOAN. I made the motion.

Mr. RAKER. My recollection is there was no such motion made.

The SPEAKER pro tempore. There was a motion made to reconsider. The Chair has a very distinct recollection. The Clerk started to read the next bill just as the gentleman from Nebraska [Mr. SLOAN] made the motion. He says he made it, and the Chair remembers distinctly hearing him make it. Then the Chair made the statement, "Without objection it will be so ordered," and there was no objection.

Mr. RAKER. That statement settles it, of course.

LANDS IN THE TOWN SITE OF PORT ANGELES, WASH.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 5351) providing for the disposal of certain lands in block 32, in the city of Port Angeles, State of Washington.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Washington [Mr. HADLEY] if this is the measure that came up during the Sixty-fourth Congress and on which there was considerable discussion about the matter in which the then gentleman from Washington [Mr. Humphrey] took a very prominent part?

Mr. HADLEY. No, Mr. Speaker, this bill has no relation to the bill of which the gentleman speaks, as far as I know; because this was a bill which passed in the Senate in the Sixty-fourth Congress, as I remember it, but it was not introduced in this body and never was up in this House at all. There have been other bills relating to property in this town site, but nothing related to this, and nothing of the same nature, as far as I know.

Mr. WALSH. Well, reserving the right to object, will the gentleman make a brief statement about the necessity for this legislation?

Mr. HADLEY. I will be glad to do it; yes. The property is located in a block which was reserved from sale when the town site was to be disposed of. That is, I should say, it was an original Government town site and this block was reserved. In 1912 under an act passed by Congress provision was made for the sale of all lots except those required for governmental use. The Government investigated the matter and decided to reserve for the Treasury Department three and for the Department of Agriculture three. Those six lots have been set aside and reserved. Seven lots have been sold and passed to patent. Six are desired as excepted in the bill for governmental use, leaving seven which have not been disposed of, and each of

those lots by this bill would be sold under the terms of the act of 1912 providing for appraisalment and sale.

Mr. STAFFORD. Will the gentleman yield?

Mr. HADLEY. I will.

Mr. STAFFORD. Back in 1913 the Treasury Department had reserved for its use lots 6 to 15, inclusive, and now their decision as to the number of lots that may be needed for a Federal building is of a more restricted amount. Has the city gone backward, so that the Treasury Department does not believe so large a number of lots will be needed in the future for the Government's use?

Mr. HADLEY. No; but the Government has made investigations and determined just what would be necessary and has examined the physical conditions as they exist in that block. I know what they are myself and I know that part of the property which was reserved under that original order to which the gentleman refers, was not suitable at all, and it was not contiguous, but had an alley separating it from the property that is now reserved. The property now reserved consists of three lots 150 feet wide by 140 feet in depth with an alley in the rear on the corner of a business street, and the other property—

Mr. STAFFORD. Is it not a fact the lots the Treasury now reserves were included in the larger site reserved back in 1913?

Mr. HADLEY. That is true.

Mr. STAFFORD. Now, will the gentleman explain the general character of this block that is partly reserved for the Agricultural Department and partly for the Treasury Department, whether there are any private buildings on that square or block?

Mr. HADLEY. There are some private buildings on some of the lots. The act of 1912 gave a preferential right to purchase to persons who were actual settlers prior to a certain date. I think in 1910. But that is not involved here, yet as a matter of fact I take it that under the act of 1912 such land as may be sold would carry a preferential right to those persons to purchase who may have been bona fide settlers upon the land prior to that date.

Mr. STAFFORD. What is the population of Port Angeles?

Mr. HADLEY. I would estimate it at from 5,000 to 6,000 people.

Mr. STAFFORD. The land reserved under this bill for that public building is a tract, according to the report, 300 feet by 250 feet.

Mr. HADLEY. It has 150 feet frontage by 140 feet in depth. I have not the report.

Mr. STAFFORD. Well, perhaps the gentleman is right. If the gentleman is right in that the size of these three lots is but 150 by 140, I will be obliged to object, because I believe that would not be large enough for a public building.

Mr. HADLEY. The gentleman misunderstood my statement. I did not say they were 50 by 140. I say 150 by 140.

Mr. STAFFORD. I understand. The gentleman does not believe that a tract of land 150 feet by 140 is adequate for a Government building?

Mr. HADLEY. I do, indeed; and furthermore—

Mr. MONDELL. It is a quarter of a block.

Mr. HADLEY. If the gentleman will permit, the department has passed upon it, and the report of the Secretary says it is adequate for the purposes of that town. And I am sure if the gentleman will investigate the public buildings in the past he will find that there are not many larger places.

Mr. MONDELL. If the gentleman will permit, that is the area ordinarily reserved. It is practically a quarter of a block. Except in a very large city, that is abundant space for a public building and leaves sufficient space all around the building.

Mr. HARDY. I will say that that is the size of a lot in a town in my district—a quarter of a block.

Mr. STAFFORD. These gentlemen here are acquainted with the size of land in small burgs on which they erect public buildings, and with which I am not so well acquainted, and I will take their judgment about that. But I considered that in a great and rushing city like Port Angeles the population would be so large that a small lot would not be useful for a Government building and meet the needs of the Government service.

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. HADLEY. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Washington asks unanimous consent that the bill be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none.

The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 5351) providing for the disposal of certain lands in block 32, in the city of Port Angeles, State of Washington.

Be it enacted, etc., That all lots in block 32, in the city of Port Angeles, State of Washington, now reserved for Government purposes under an act entitled "An act providing for the reappraisal and sale of certain lands in the town site of Port Angeles, Wash., and for other purposes," approved March 16, 1912, except lots 1, 8, 9, 10, 16, and 17, shall be disposed of under and pursuant to the provisions of said act of March 16, 1912, and the Secretary of the Interior is hereby directed to proceed at once to carry out the provisions of this act.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HADLEY, a motion to reconsider the vote by which this bill was passed was laid on the table.

Mr. WALSH. Mr. Speaker, I desire to direct the attention of the gentleman from California [Mr. RAKER] that the gentleman from Washington [Mr. HADLEY] moved to reconsider.

Mr. RAKER. And I want to say to the gentleman from Massachusetts that there is no need for the gentleman saying that, because I am here attending to my business all the time.

Mr. STAFFORD. Mr. Speaker, I will make the point of no quorum if there is going to be an alteration here.

BRIDGE ACROSS WHITE RIVER, FORSYTH, MO.

The next business on the Calendar for Unanimous Consent was the bill H. R. 10365, granting the consent of Congress to the Forsyth special road district of Taney County, Mo., to construct a bridge across White River at Forsyth, Mo.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 10365) granting the consent of Congress to the Forsyth special road district of Taney County, Mo., to construct a bridge across White River at Forsyth, Mo.

Be it enacted, etc., That the consent of Congress is hereby granted to the Forsyth special road district of Taney County, Mo., and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the White River at a point suitable to the interests of navigation, at or near Forsyth, Mo., in the county of Taney, in the State of Missouri, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2 That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. RUSSELL, a motion to reconsider the vote by which the bill was passed was laid on the table.

GRANT OF LAND TO CITY OF SAN DIEGO.

The next business on the Calendar for Unanimous Consent was the bill H. R. 10587, granting to the city of San Diego certain lands in the Cleveland National Forest and Capitan Grande Indian Reservation for dam and reservoir purposes for the conservation of water, and for other purposes.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I will—

Mr. CARTER of Oklahoma. Mr. Speaker, I reserve the right to object.

Mr. CRAMTON. Does the gentleman care to make a statement? Personally I feel that this bill is of entirely too much importance to be taken up at this time of the week and on this calendar. If the gentleman desires to make a statement I will withhold.

Mr. CARTER of Oklahoma. Mr. Speaker, this bill proposes a grant to the city of San Diego of certain lands, a small part of which seem to be public lands but a larger portion Indian lands. Only a very small part seems to be public lands—a portion of a park of something like 120 acres—and some 2,000 acres of the land are Indian lands. What this bill proposes to do is to take the land away from those Indians, which has always been their homes, at some price fixed by the Secretary of the Interior, and purchasing them other land. There has been for some time carried in the Indian appropriation bills different sums of money for the purchase of land for homeless Indians in California, and very little land has been purchased. The result might be that these Indians would be left homeless, in which case the responsibility might fall on the Government to furnish lands for them.

Mr. Speaker, this bill evidently should have gone to the Committee on Indian Affairs, because it is a matter dealing with

Indian lands in the main, and a matter dealing with getting homes for these Indians, if they are left homeless by taking this land away from them. The bill is doubtless intended to serve a good purpose, and I have no doubt that it is drawn with proper care, giving every protection to all the parties concerned, because it is reported by a committee which bears a reputation for such conduct. I am not very jealous of the prerogatives of committees, but I would like myself, personally, to make some investigation of the bill before final action is taken by the House. For that reason I believe that the bill ought to go over until next unanimous-consent day.

Mr. RAKER. Mr. Speaker, may I just answer the gentleman's statement?

Mr. CARTER of Oklahoma. Yes.

Mr. RAKER. The matter referred to by the gentleman—that it does take a part of the Indian reservation—is true. It takes some 2,000 acres of an entire reservation of about 16,000 acres. But the bill not only provides that there shall be condemnations in the courts and judgment fixed as to the price and value of the land but, in addition to that, the Secretary of the Interior must approve that judgment and may assess any amount that he may desire.

Mr. STAFFORD. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Wisconsin makes the point of order that there is no quorum present.

Mr. O'SHAUNESSY. Mr. Speaker, I want to ask the gentleman to withhold his point of order. I want but one minute of time. We are within three bills of finishing this calendar. We have been waiting patiently all the day. Our constituents pay us for legislating and attending to the public business. Here we are in sight of finishing this calendar, and somebody capiously makes the point of order.

Mr. STAFFORD. Mr. Speaker, I make the point of order when a gentleman says I do it "capiously." The bill he refers to was considered 10 days ago.

ADJOURNMENT.

Mr. GARRETT of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The gentleman from Tennessee moves that the House do now adjourn. The question is on agreeing to that motion.

The question was taken, and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. O'SHAUNESSY. Mr. Speaker, I demand a division.

Mr. CRAMTON. Mr. Speaker, how does this leave the status of this bill?

The SPEAKER pro tempore. An objection was made.

Mr. RAKER. That does not dispose of it.

The SPEAKER pro tempore. It disposes of the present consideration of it.

Mr. O'SHAUNESSY. Mr. Speaker, I demand a division on the motion to adjourn.

The SPEAKER pro tempore. The gentleman from Rhode Island demands a division on the motion to adjourn.

The House divided; and there were—ayes 18, noes 13.

So the motion was agreed to; accordingly (at 4 o'clock and 45 minutes p. m.) the House adjourned until Monday, March 25, 1918, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GOODALL, from the Committee on Coinage, Weights, and Measures, to which was referred the bill (H. R. 10852) to provide for the appointment of a commission to standardize screw threads, reported the same without amendment, accompanied by a report (No. 407), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. HULL of Iowa, from the Committee on Military Affairs, to which was referred the bill (H. R. 7768) for the relief of Edward Looby, reported the same with amendment, accompanied by a report (No. 406), which said bill and report were referred to the Private Calendar.

Mr. FRENCH, from the Committee on Indian Affairs, to which was referred the bill (H. R. 8655) to authorize the Secretary of

the Interior to issue deed to G. H. Beckwith for certain land within the Flathead Indian Reservation, Mont., reported the same with amendment, accompanied by a report (No. 403), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 9865) to authorize the sale of certain lands to school district No. 28, of Missoula County, Mont., reported the same without amendment, accompanied by a report (No. 404), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HAMILTON of New York: A bill (H. R. 10974) to provide for payment of expenses incurred by the Seneca Indians in defending members prosecuted by the State of New York for fishing on lands ceded by said Indians; to the Committee on Indian Affairs.

By Mr. HULL of Iowa: A bill (H. R. 10975) to establish a home or homes for aged and infirm colored people and working girls and to establish an industrial farm and to aid people who must move from the alleys on July 1, and to provide work for the colored youth during the summer vacation; to the Committee on Public Buildings and Grounds.

By Mr. DOUGHTON: A bill (H. R. 10976) requiring the Government to furnish uniforms to officers of the Army or Navy, and for other purposes; to the Committee on Military Affairs.

By Mr. KNUTSON (by request): A bill (H. R. 10977) to provide additional revenue to defray war expenses and to accumulate a fund with which to pay the war bonds, and for other purposes; to the Committee on Ways and Means.

By Mr. JAMES: A bill (H. R. 10978) providing for the interment of the bodies of the soldiers and sailors who died by the sinking of the *Tuscania*, and the erection of a suitable monument at Arlington National Cemetery; to the Committee on the Library.

By Mr. JOHNSON of Kentucky (by request of the Committee on the District of Columbia): A bill (H. R. 10979) to provide for the redistribution of general taxes and special assessments due and payable on real estate in the District of Columbia in cases of subdivision or sales of land therein; to the Committee on the District of Columbia.

By Mr. CARY: A bill (H. R. 10980) to regulate and license the business of selling pianos, jewelry, furniture, clothing, and other commodities on installment; to the Committee on the District of Columbia.

By Mr. DILL: A bill (H. R. 10981) to provide revenue for the support of the Army and Navy and provide for the common defense and to defray war expenses, and for other purposes; to the Committee on Ways and Means.

By Mr. LUFKIN: Memorial of the Commonwealth of Massachusetts, requesting the President and the Congress to devise and enact measures for the drafting of aliens; to the Committee on Military Affairs.

By Mr. TINKHAM: Memorial of the general court of the Commonwealth of Massachusetts, requesting the President and the Congress to devise and enact measures for the drafting of aliens; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 10982) granting an increase of pension to Benjamin D. Barr; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 10983) granting an increase of pension to William Warner; to the Committee on Invalid Pensions.

By Mr. BORLAND: A bill (H. R. 10984) granting an increase of pension to Reuben T. Berry; to the Committee on Invalid Pensions.

By Mr. BRITTEN: A bill (H. R. 10985) granting a pension to Alice Morgan; to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 10986) granting an increase of pension to William P. Underwood; to the Committee on Invalid Pensions.

By Mr. COOPER of West Virginia: A bill (H. R. 10987) granting an increase of pension to Augustus C. Godfrey; to the Committee on Invalid Pensions.

By Mr. CURRY of California: A bill (H. R. 10988) granting a pension to John D. Gardenhire; to the Committee on Pensions.

By Mr. DRUKKER: A bill (H. R. 10989) granting an increase of pension to Mary C. Murray; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 10990) for the relief of John K. Ashley, jr.; to the Committee on Public Buildings and Grounds.

By Mr. GILLET: A bill (H. R. 10991) granting a pension to Kate Watson; to the Committee on Pensions.

By Mr. HAMILTON of New York: A bill (H. R. 10992) granting an increase of pension to George Merchant; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10993) granting a pension to William E. Warren; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 10994) granting an increase of pension to Charles E. Blake; to the Committee on Invalid Pensions.

By Mr. KEATING: A bill (H. R. 10995) granting a pension to Mary J. Sharp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10996) granting an increase of pension to Henry Stone; to the Committee on Invalid Pensions.

By Mr. LITTLEPAGE: A bill (H. R. 10997) granting an increase of pension to William D. Medley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10998) to reimburse Tennie A. Anderson, postmaster at Maplewood, Fayette County, W. Va., for money, money orders, and postage stamps stolen; to the Committee on Claims.

By Mr. LONGWORTH (for Mr. HEINTZ): A bill (H. R. 10999) granting an increase of pension to Alonzo G. Burdge; to the Committee on Invalid Pensions.

By Mr. LUFKIN: A bill (H. R. 11000) granting an increase of pension to James B. Wildes; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 11001) granting an increase of pension to Adam Wooten; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11002) granting an increase of pension to Elizabeth Faris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11003) granting an increase of pension to George W. Fulcher; to the Committee on Invalid Pensions.

By Mr. SHERLEY: A bill (H. R. 11004) granting a pension to Jennie K. Burke; to the Committee on Invalid Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 11005) granting a pension to Addie L. Barr; to the Committee on Invalid Pensions.

By Mr. TILLMAN: A bill (H. R. 11006) granting an increase of pension to Nathan Long; to the Committee on Pensions.

By Mr. TINKHAM: A bill (H. R. 11007) granting a pension to John P. Leonard; to the Committee on Pensions.

By Mr. VESTAL: A bill (H. R. 11008) granting an increase of pension to Myers Silvers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11009) granting a pension to Miranda Q. Moore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11010) granting a pension to Margaret L. Cassady; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11011) granting an increase of pension to Charles E. Hall; to the Committee on Invalid Pensions.

By Mr. WHITE of Ohio: A bill (H. R. 11012) granting a pension to Calla R. Landsittel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11013) granting a pension to Barbara Schroder; to the Committee on Invalid Pensions.

By Mr. WHITE of Maine: A bill (H. R. 11014) granting an increase of pension to John French; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11015) granting a pension to Meda E. Dodge; to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 11016) granting an increase of pension to Malberry Gaskins; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BARKLEY: Petition of Congress Heights Methodist Episcopal Church, favoring war prohibition; to the Committee on the Judiciary.

By Mr. CARY: Petition of the Old Line Life Insurance Co. of America relative to payment of income tax; to the Committee on Ways and Means.

By Mr. COOPER of Wisconsin: Petition of citizens of Beloit, Wis., against passage of compulsory Sunday-observance bill; to the Committee on the Judiciary.

By Mr. HILLIARD: Petition of Dean Swift, Wilkin Sheldon, C. G. Webster, Mrs. Sady Simons, Susie M. Fabling, O. H. Bonney, John W. Brunton, Grace E. Shannon, Mrs. M. H. Muehling, John Milton Walker, F. D. Foster, W. A. Collings, John Huntington, Ethel V. Huntington, N. R. Crooks, Mrs. E. D. Humphrey, Helen D. Kohl, Mrs. W. E. Davis, Mrs. R. B. Hard-

man, E. G. Eger, and C. A. Taub, all citizens of the State of Colorado, praying for immediate war prohibition; to the Committee on the Judiciary.

Also, petition of Hess Kollenberg, of Denver, Colo., praying for the repeal of that section of the war-revenue act providing for increased postage rates on periodicals; to the Committee on Ways and Means.

Also, resolutions adopted by the Missouri Federation of Women's Clubs, protesting against increased postage rates on periodicals; to the Committee on Ways and Means.

By Mr. GRIFFIN: Memorial of Foreign Service Camp, No. 87, United Spanish War Veterans, New York City, favoring pensions for widows and orphans of Spanish War veterans; to the Committee on Pensions.

By Mr. LONERGAN: Petition of People's Church of Christ of New Britain, Conn., favoring war-time prohibition; to the Committee on the Judiciary.

By Mr. PRATT: Petition of Newark Valley Grange, No. 1422, protesting against an order of the United States Food Administration relative to eggs and poultry; to the Committee on Agriculture.

Also, petition of 26 members of the Chemung County Medical Society, at Elmira, N. Y., urging passage of House bill 9563, to give physicians who have been commissioned in the Medical Reserve Corps of the Army rank and percentage of such rank equal to that given similar officers in the Navy; to the Committee on Military Affairs.

By Mr. TILSON: Petition of Connecticut State Council of Defense, favoring increasing allowance for officers of the Army; to the Committee on Military Affairs.

Also, petition of Connecticut Hardware Association, protesting against repeal of zone postal rate for second-class mail matter; to the Committee on Ways and Means.

Also, petition of L. P. Breckenridge, of Yale University, against passage of House bill 2878, relative to metric system; to the Committee on Coinage, Weights, and Measures.

By Mr. VESTAL: Memorial of Major May Post, No. 244, Department of Indiana, Grand Army of the Republic, asking for increase of pension for Civil War veterans to \$50 per month; to the Committee on Invalid Pensions.

Also, petition of citizens of Elmwood, Ind., favoring passage of the Moore purple cross bill; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota: Memorial of Burleigh County Farmers' Union, Bismarck, N. Dak., favoring appropriation for seed and feed in certain areas upon time; to the Committee on Agriculture.

Also, memorial of Grand Forks Trades and Labor Assembly, favoring the election and recall of Federal judges; to the Committee on the Judiciary.

SENATE.

MONDAY, March 25, 1918.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou who dost sit upon the throne of the universe, we come reverently before Thee lifting up our hearts in prayer. The dread alarm of nations calls us to prayer this day. We seek Thy favor and Thy blessing. We present ourselves to Thee with a consciousness of having come short of Thy glory and having failed in much that Thou hast committed to our hands in our national and personal life. We pray Thee to forgive our sins. Cleanse us from our impurities. Give to us the baptism of Thy spirit and the leadership of Thy spirit, that we may yet accomplish Thy will in the earth through the things that are pleasant in Thy sight. We pray that Thou wilt make bare Thy arm to save, and lead the forces of justice and liberty and truth to a final victory. For Christ's sake. Amen.

The journal of the proceedings of Saturday last was read and approved.

ELIZABETH H. RICE v. UNITED STATES (S. DOC. NO. 205).

Mr. SMOOT. On Saturday last the Chair laid before the Senate a communication from the chief clerk of the Court of Claims transmitting a certified copy of the findings of fact and conclusions filed by the court in the cause of Elizabeth H. Rice against the United States, which contained certain illustrations, and that they may be printed an order of the Senate must be granted. I therefore ask that an order be made for the printing of the illustrations.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.